

# **JOURNAL OF THE HOUSE**

## **EIGHTY-EIGHTH SESSION**

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THIRTY-THIRD DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Monday, March 4, 2013

The House convened at 2:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Pastor Mercy Hobbs, followed by the Pledge of Allegiance led by House page Savannah Johnson.

Roll Call: All members present except Reps. Carson and Kopp who were excused.

### **APPROVAL OF THE JOURNAL**

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the thirty-second day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,  
Brian G. Gosch, Chair

Which motion prevailed.

1 The oath of office was administered by Speaker Gosch to the following named pages:

2 Cara Beck, Megan Ford, Stephanie Garcia, Leah Gosch, Matt Halter, Savannah Johnson,  
3 Epiphany Knedler, Cameron Lux, Matthew Moen, Michelle Schwab, Christian Swenson, Kayla  
4 Sylvester

5 Which was subscribed to and placed on file in the office of the Secretary of State.

6 **REPORTS OF STANDING COMMITTEES**

7 MR. SPEAKER:

8 The Committee on Local Government respectfully reports that it has had under  
9 consideration SB 114 and returns the same with the recommendation that said bill be amended  
10 as follows:

11 114fa

12 On page 1, after line 12 of the printed bill, insert:

13 " Section 2. That chapter 34-36 be amended by adding thereto a NEW SECTION to read as  
14 follows:

15 The provisions of §§ 34-46-13 to 34-46-15, inclusive, do not apply to any establishment in  
16 actual operation prior to January 1, 2013, and where a license is issued pursuant to subdivision  
17 35-4-2(4), (6), (12), or (16) at any time, and maintains compliance with the following  
18 requirements:

19 (1) Generates ten percent or more of its annual gross income from the sale of hookah or  
20 shisha tobacco; and

21 (2) Is enclosed by solid walls or windows, a ceiling, and a solid door and is equipped  
22 with a ventilation system by which exhausted air is not recirculated to nonsmoking  
23 areas and smoke is not backstreamed into nonsmoking areas.

24 Any establishment meeting the requirements of this section may permit the smoking of  
25 hookah, shisha tobacco, and any premium tobacco product purchased on the premises. However,  
26 no establishment may permit the smoking of any other tobacco product on the premises. The  
27 establishment shall post a notice of the prohibition.

28 Any establishment meeting the requirements of this section shall annually report to the  
29 Department of Revenue, on a form prescribed by the department, the revenue generated from  
30 the sale of hookah and shisha tobacco as a percentage of annual gross income.

1 114fa

2 On page 1, line 1, of the printed bill, after "smoking" insert "and to permit smoking of  
3 hookah or shisha tobacco in certain licensed establishments".

4 And that as so amended said bill do pass.

5 Also MR. SPEAKER:

6 The Committee on Local Government respectfully reports that it has had under  
7 consideration SB 206 and returns the same with the recommendation that said bill be amended  
8 as follows:

9 206fa

10 On page 3, line 8, of the printed bill, after "any" delete "state".

11 On page 3, line 8, after "other" delete "state".

12 On page 3, line 9, after "South Dakota" insert ", an agency of the United States, or a tribal  
13 government".

14 On page 4, line 2, after "any" delete "state".

15 On page 4, line 2, after "other" delete "state".

16 On page 4, line 3, after "South Dakota" insert ", an agency of the United States, or a tribal  
17 government".

18 And that as so amended said bill do pass.

19 Respectfully submitted,  
20 Tim Rounds, Chair

21 Also MR. SPEAKER:

22 The Committee on State Affairs respectfully reports that it has had under consideration  
23 SB 136 and returns the same with the recommendation that said bill do pass.

24 Also MR. SPEAKER:

25 The Committee on State Affairs respectfully reports that it has had under consideration  
26 SB 235 and returns the same with the recommendation that said bill be amended as follows:

235fa

On the printed bill, delete everything after the enacting clause and insert:

" Section 1. There is hereby created the building South Dakota fund for the purpose of building and reinvesting in South Dakota's economy and to create high quality jobs. Any money in the building South Dakota fund is continuously appropriated to GOED. The board may accept and expend for the purposes of this Act any funds obtained from appropriations or any other source. Interest earned on money in the fund shall be deposited into the fund.

If the Board of Economic Development approves a project to receive a reinvestment payment pursuant to the provisions of sections 23 to 37, inclusive, of this Act, the Department of Revenue shall deposit all of the contractors' excise tax imposed and paid pursuant to the provisions of chapter 10-46A or 10-46B on the project costs into the building South Dakota fund.

The state treasurer shall transfer twenty-five percent of the unclaimed property deposited in the general fund pursuant to chapter 43-41B in state fiscal year 2015 into the building South Dakota fund. The state treasurer shall transfer fifty percent of the unclaimed property deposited in the general fund pursuant to chapter 43-41B in state fiscal year 2016 and each year thereafter into the building South Dakota fund.

Section 2. The commissioner of the Bureau of Finance and Management shall authorize and disburse money from the fund for the following purposes:

- (1) Twenty-five percent of the fund shall be transferred to the local infrastructure improvement grant fund created in section 4 of this Act;
- (2) Fifteen percent of the fund shall be transferred to the economic development partnership fund created in section 5 of this Act;
- (3) Thirty percent of the fund shall be transferred to the workforce education fund created in section 8 of this Act;
- (4) Twenty-five percent of the fund shall be transferred to the South Dakota housing opportunity fund created in section 11 of this Act;
- (5) Five percent of the fund shall be transferred to the revolving economic development and initiative fund created in § 1-16G-3 for the purpose of making grants or loans to projects that have a total project cost of less than twenty million dollars.

Section 3. The Governor's Office of Economic Development shall report annually to the Government Operations and Audit Committee about the operations and results of the building South Dakota fund.

Section 4. There is hereby created in the state treasury the local infrastructure improvement grant fund. The Board of Economic Development may award grants to any political subdivision

1 of this state or local development corporation from the fund to construct or reconstruct  
2 infrastructure for the purpose of serving an economic development project. The board shall  
3 consult other state agencies to evaluate the feasibility and merits of the proposed infrastructure  
4 improvements. No county is eligible for a grant for infrastructure improvements, unless the  
5 county imposes the maximum wheel tax pursuant to chapter 32-5A or supplements road funds  
6 with general funds or other funds in an amount equal to or greater than what may be generated  
7 from a wheel tax increase. Interest earned on money in the fund shall be deposited into the fund.  
8 Any money in the local infrastructure improvement grant fund is continuously appropriated.  
9 Any money deposited into and distributed from the fund shall be set forth in an informational  
10 budget as described in § 4-7-7.2.

11 Section 5. The economic development partnership fund is hereby established within the  
12 Governor's Office of Economic Development. Any nonprofit development corporation,  
13 municipality, county, or other political subdivision of the state may apply to GOED for funds  
14 on a matching basis as provided in sections 6 to 7, inclusive, of this Act. Interest earned on  
15 money in the fund shall be deposited into the fund. Any money in the economic development  
16 partnership fund is continuously appropriated. Any money deposited into and distributed from  
17 the fund shall be set forth in an informational budget as described in § 4-7-7.2.

18 Section 6. GOED may award funds from the economic development partnership fund for  
19 new staff, or elevate existing part-time staff and equipment needs for the purpose of developing  
20 or expanding local, community, and economic development programs. GOED may also award  
21 funds from the economic development partnership fund to commence or replenish a local  
22 revolving loan fund for the purpose of developing or expanding housing, community, and  
23 economic development programs. Areas of emphasis for funding include creating high quality  
24 employment opportunities, repopulation, stronger economies, housing development, business  
25 growth, support of entrepreneurship, and job creation, expansion, and retention.

26 Section 7. Any funds awarded under the economic development partnership fund shall be  
27 provided on a matching basis. The funds awarded to a recipient for staffing may be distributed  
28 over a four year period with forty percent being distributed in the first year, thirty percent in the  
29 second year, twenty percent in the third year, and ten percent in the fourth year. Over the four  
30 year period, the recipient shall match the total funds received from the economic development  
31 partnership fund.

32 Section 8. There is hereby created in the state treasury the workforce education fund. The  
33 Board of Education may award grants to any department, agency, or political subdivision of this  
34 state, nonprofit, or local development corporation from the fund for the following purposes:

- 35 (1) Support the state aid to general education formula by including funding for students  
36 with limited English proficiency;
- 37 (2) Provide additional resources for secondary and postsecondary career and technical  
38 education; and
- 39 (3) Support for education equipment for workforce training programs at the  
40 postsecondary technical institutes or satellite postsecondary education programs.

1 Interest earned on money in the fund shall be deposited into the fund. Any money in the  
2 workforce education fund is continuously appropriated. Any money deposited into and  
3 distributed from the fund shall be set forth in an informational budget as described in § 4-7-7.2.

4 Section 9. The workforce education fund created pursuant to section 8 of this Act shall be  
5 used to annually fund the state's share of the limited English proficiency adjustment as  
6 calculated by § 13-13-10.1 and 13-13-73.

7 If the balance of the workforce education fund exceeds two million dollars as of July first  
8 of each year, the amount of money in excess of one million dollars shall be allocated to each  
9 school district for the purposes of advancing the use of technology in the classrooms, purchasing  
10 equipment and services to assist in career and technical education programs, and funding other  
11 nonrecurring educational expenses that help prepare students for the workforce. The secretary  
12 of the Department of Education shall distribute to each school district an amount equal to the  
13 money available for such distribution times the ratio of each school district's fall enrollment to  
14 the total state fall enrollment. The distribution shall be made as a one-time payment to each  
15 school district.

16 Section 10. GOED shall promulgate rules pursuant to chapter 1-26 to provide for  
17 implementation and administration of the local infrastructure improvement grant fund,  
18 economic development partnership fund, and the workforce education fund. The rules shall  
19 include:

- 20 (1) Application requirements, procedures, and forms;
- 21 (2) Award procedures;
- 22 (3) Eligible uses of award funds;
- 23 (4) Eligibility requirements for applicants;
- 24 (5) Responsibilities of applicants and award recipients;
- 25 (6) Procedures for rescinding and repayment of awards if the applicant's or recipient's  
26 responsibilities are not met;
- 27 (7) Reporting requirements; and
- 28 (8) Other items necessary for the administration of the program.

29 Section 11. There is hereby created the South Dakota housing opportunity fund to be  
30 administered by the South Dakota Housing Authority for the purpose of preserving and  
31 expanding sustainable, affordable, and safe housing that is targeted to low and extremely low  
32 income families and individuals in South Dakota. The authority may accept and expend for the  
33 purposes sections 11 to 20, inclusive, of this Act any funds obtained from appropriations or any  
34 other source. Any money deposited into and distributed from the fund shall be set forth in an

1 informational budget as described in § 4-7-7.2. Interest earned on money in the fund shall be  
2 deposited into the fund.

3 Section 12. Terms used in this sections 11 to 20, inclusive, of this Act:

4 (1) "Administering agency," the South Dakota Housing Development Authority shall act  
5 as the administrative agency for the South Dakota housing opportunity fund;

6 (2) "Affordable housing," housing is affordable if the total housing costs, which includes  
7 rent, utilities, mortgage, and related expenses, represents no more than thirty percent  
8 of gross household income;

9 (3) "Commissioner," a member appointed to the oversight commission;

10 (4) "Fund," the South Dakota housing opportunity fund;

11 (5) "Low Income," the three levels of low income are:

12 (a) Low income means any household with an income at or below eighty percent  
13 of area median income (AMI) based on United States Department of Housing  
14 and Urban Development (HUD) criteria;

15 (b) Very low income means any household with income at or below fifty percent  
16 of AMI based on HUD criteria; and

17 (c) Extremely low income means any household with income at or below thirty  
18 percent of AMI based on HUD criteria;

19 (6) "Moderate Income," any household with an income at or below one hundred and  
20 fifteen percent of AMI based on HUD criteria;

21 (7) "Oversight commission," the commission that governs the South Dakota housing  
22 opportunity fund.

23 Section 13. The oversight commission shall consist of the following thirteen members:

24 (1) The president pro tempore of the Senate shall appoint three members at large;

25 (2) The speaker of the House of Representatives shall appoint three members at large;

26 (3) The Governor shall appoint six members as follows:

27 (a) One member shall represent a public housing authority;

28 (b) One member shall represent an Indian housing authority;

29 (c) One member shall represent the nonprofit housing industry;

1 (d) One member shall represent a special needs advocate; and

2 (e) Two members at large; and

3 (4) The executive director of the South Dakota Housing Development Authority shall  
4 serve as the chair of the oversight commission.

5 The commissioners shall serve three-year staggered terms, with no more than four  
6 commissioners appointed to any one term, with each term beginning July first and ending on  
7 June thirtieth. No commissioner appointed pursuant to this section may serve more than three  
8 consecutive full terms. Each commissioner shall hold office for the term of the appointment and  
9 until a successor has been appointed. If there is a vacancy on the oversight commission, the  
10 vacancy shall be filled in the same manner as the original appointment.

11 The oversight commission shall review and approve a monitoring and reporting system  
12 which shall be established by the administering agency. On an annual basis, the oversight  
13 commission shall assess and prioritize eligible activities for funding. Working with the  
14 administrative agency, the oversight commission shall establish an award system and review  
15 criteria for the evaluation and review of each proposal. The oversight commission shall review  
16 and then approve or disapprove the funding recommendations made by the administering  
17 agency.

18 Section 14. The administrative agency shall:

19 (1) Develop program guidelines;

20 (2) Market the fund to eligible applicants;

21 (3) Receive, review, and evaluate proposals;

22 (4) Submit funding proposal recommendations to the oversight commission;

23 (5) Administer annual monitoring and reporting on the fund;

24 (6) Create operating rules and guidelines for the oversight commission; and

25 (7) Perform all other activities necessary to support the administration of the fund.

26 Section 15. Any for-profit entity, nonprofit entity, Native American tribe, housing authority,  
27 a political subdivision of this state or its agencies, or any agency of this state is eligible to apply  
28 for funding from the fund. No individual may apply for funding directly from the fund.

29 Section 16. The South Dakota housing opportunity fund may be used to provide a grant,  
30 loan, loan guarantee, loan subsidy and other financial assistance to an eligible applicant. Money  
31 from the fund may be used to build, buy, and or rehabilitate affordable housing for rent or home  
32 ownership, including single family and multifamily housing. The eligible fund activities include  
33 affordable housing projects that consist of new construction of rental or home ownership



1 housing, substantial or moderate rehabilitation of rental or home ownership housing, housing  
2 preservation, including home repair grants and grants to make homes more accessible to  
3 individuals with disabilities, homelessness prevention activities, as well as a community land  
4 trust. No more than ten percent of the funds awarded may be used for the administrative costs  
5 of any entity that has received funding from the fund.

6 Section 17. Each year, money from South Dakota housing opportunity fund shall be set aside  
7 as follows:

8 (1) Thirty percent shall be designated for municipalities that have a population of fifty  
9 thousand or more; and

10 (2) Seventy percent shall be designated for the other areas of the state.

11 If the approved applications for any area are less than the amount set aside, the remaining  
12 amount may be made available for qualified applications from the other areas. The geographic  
13 distribution guideline takes precedence over income targeting guideline during the evaluation  
14 of the applications.

15 Section 18. The South Dakota housing opportunity fund shall be targeted to serve low to  
16 moderate income households with a maximum income at or below one hundred fifteen percent  
17 of the area median income based on United States Department of Housing and Urban  
18 Development (HUD) criteria. A priority shall be given to any projects that serve households  
19 with incomes up to eighty percent of area median income. Sixty-five percent of the money in  
20 the fund shall be set aside for projects serving households up to eighty percent of area median  
21 income, and priority shall be given to projects serving households up to thirty percent of area  
22 median income. If the total amount of the applications approved are equal to or less than the  
23 amount set aside for an income category, the unused amount shall be made available for  
24 qualified applications serving other income categories.

25 Section 19. Awards from the fund shall be made through a competitive process during the  
26 initial application cycle each year. Each application shall be evaluated and scored based on  
27 criteria created by the administering agency and the oversight commission. Each applicant that  
28 is awarded money from the fund shall be encouraged to leverage the money for any project or  
29 program with other public and private dollars. If there are funds available after the initial  
30 application cycle, additional application rounds may be established. Any program income or  
31 loan payments shall be deposited into the fund.

32 Section 20. The oversight commission shall submit to the Governor and the Legislature an  
33 annual report which includes the activity and use of funds for the South Dakota housing  
34 opportunity fund.

35 Section 21. That § 1-16G-1 be amended to read as follows:

36 1-16G-1. There is created a Board of Economic Development and the Governor may appoint  
37 up to thirteen members to consult with and advise the Governor and the commissioner of the  
38 Governor's Office of Economic Development in carrying out the functions of the office. The

1 members shall be confirmed by the senate. The members of the board shall be appointed by the  
2 Governor for four-year terms of office so arranged that no more than four members' terms expire  
3 in any given year. Not all members may be from the same political party. The Governor shall  
4 designate the terms at the time of appointment. Any member appointed to fill a vacancy arising  
5 from other than the natural expiration of a term shall serve only the unexpired portion of the  
6 term.

7 Section 22. In addition to the members of the Board of Economic Development appointed  
8 pursuant to § 1-16G-1, four ex officio nonvoting members shall be appointed to the board by  
9 the Legislature as follows:

- 10 (1) The majority leader of the Senate shall appoint one member of the Senate;
- 11 (2) The minority leader of the Senate shall appoint one member of the Senate;
- 12 (3) The majority leader of the House of Representatives shall appoint one member of the  
13 House of Representatives; and
- 14 (4) The minority leader of the House of Representatives shall appoint one member of the  
15 House of Representatives.

16 Section 23. Terms used in sections 23 to 37, inclusive, of this Act mean:

- 17 (1) "Board," the Board of Economic Development;
- 18 (2) "Commissioner," the commissioner of the Governor's Office of Economic  
19 Development;
- 20 (3) "Completed the project" or "completion of the project," the first date when the project  
21 is operational;
- 22 (4) "Construction date," the first date earth is excavated or a contractor has initiated work  
23 for the purpose of constructing or expanding a project or the first date at which the  
24 process begins for the purpose of placing or replacing equipment;
- 25 (5) "Data center," any facility established for the purpose of processing, storage,  
26 retrieval, or communication of data;
- 27 (6) "Department," the Department of Revenue;
- 28 (7) "GOED," the Governor's Office of Economic Development;
- 29 (8) "New or expanded facility," a new building or structure, or the expansion of an  
30 existing building or structure;
- 31 (9) "Person," any individual, firm, copartnership, joint venture, association, cooperative,  
32 nonprofit development corporation, limited liability company, limited liability

1 partnership, corporation, estate, trust, business trust, receiver, or any group or  
2 combination acting as a unit;

3 (10) "Project," a new building or structure or the expansion of an existing building or  
4 structure, the construction of which is subject to the contractor's excise tax imposed  
5 by chapters 10-46A or 10-46B. A project may include the installment or replacement  
6 of equipment if the equipment costs exceed two million dollars. A project includes  
7 laboratory and testing facilities, manufacturing facilities, data centers, power  
8 generation facilities, power transmission facilities, agricultural processing facilities,  
9 and wind energy facilities. A project does not include any building or structure:

10 (a) Used predominantly for the sale of products at retail, other than the sale of  
11 electricity at retail, to individual consumers;

12 (b) Used predominantly for residential housing or transient lodging;

13 (c) Used predominantly to provide health care services;

14 (d) Used predominantly for the transportation or transmission of natural gas, oil,  
15 or crude oil by means of a pipeline;

16 (e) Constructed for raising or feeding of livestock; or

17 (f) That is not subject to ad valorem real property taxation or equivalent taxes  
18 measured by gross receipts;

19 (11) "Project cost," the amount paid by the project owner in money, credits, property, or  
20 other money's worth for a project;

21 (12) "Wind energy facility," the facility includes those components subject to the sales and  
22 uses tax or the contractors excise tax, including the cost of the blades, wind turbine  
23 generators, towers, bases, foundations, power collection systems, electric  
24 interconnection systems, substations, and amounts paid to contractors.

25 Section 24. If the projects costs for a new or expanded facility exceeds twenty million  
26 dollars or the projects costs for equipment replacement exceeds two million dollars, a person  
27 may apply for a reinvestment payment pursuant to sections 23 to 37, inclusive, of this Act. The  
28 person shall:

29 (1) Timely file an application as required by section 25 of this Act;

30 (2) Receive a permit from GOED pursuant to section 27 of this Act;

31 (3) Timely file the affidavit of reinvestment payment as required by section 28 of this  
32 Act; and

1       (4)   Comply with the provisions of sections 23 to 37, inclusive, of this Act to qualify for  
2           the reinvestment payment.

3       A project with a construction date on or after April 1, 2013, may receive a reinvestment  
4       payment as provided by sections 23 to 37, inclusive, of this Act.

5       Section 25. Before any person receives any reinvestment payment as provided in sections  
6       23 to 37, inclusive, of this Act, the person shall file an application with GOED. The application  
7       may be filed no sooner than ninety days before the construction date, or no later than ninety days  
8       after the construction date. No person may receive any reinvestment payment as provided by  
9       sections 23 to 37, inclusive, of this Act if the application is not timely filed with GOED.

10      The application shall include the following information:

11      (1)   The project owner's name and contact information;

12      (2)   The general description of the project;

13      (3)   The construction date of the project;

14      (4)   The projected date for completion of the project;

15      (5)   The estimated project costs;

16      (6)   The location of the project;

17      (7)   The legal description of the project location;

18      (8)   A list of the contractors and subcontractors that will perform work on the project; and

19      (9)   Any other information that GOED may require.

20      The application shall be on a form prescribed by the commissioner. The application shall  
21      be signed by the project owner under penalty of perjury, and signed under oath before a notary  
22      public. No application may include more than one project.

23      Section 26. The Board of Economic Development shall review the application and make a  
24      determination of whether the project shall be approved or disapproved. The board may approve  
25      a reinvestment payment that is equal to or less than South Dakota sales and use tax paid by the  
26      project owner on the project costs for the project.

27      The board shall consider the following factors when making that determination:

28      (1)   Has the county or municipality adopted a formula to reduce property taxation for the  
29           project for five years under the discretionary formula pursuant to § 10-6-35.2;

- 1       (2)    Has the county or municipality approved a tax incremental district pursuant to  
2           chapter 11-9 for the area where the project will be located;
- 3       (3)    Has the municipality approved a municipal sales tax refund pursuant § 10-52-10;
- 4       (4)    Likelihood that the project would have occurred without the reinvestment payment  
5           provided by sections 23 to 37, inclusive, of this Act;
- 6       (5)    Economic activity that may occur in the community, area, and state; and
- 7       (6)    Criteria established by rules promulgated pursuant to section 36 of this Act.

8       Section 27. Upon approval of the application by the Board of Economic Development,  
9       GOED shall issue a permit entitling the person to submit an affidavit for reinvestment payment  
10      as provided by section 28 of this Act. The permit and reinvestment payment is assignable and  
11      transferable and may be used as collateral or security pursuant to chapter 57A-9. If the initial  
12      permit holder entity reorganizes into a new entity, the new entity shall file with GOED an  
13      amended application within sixty days of the reorganization. If either the permit or reinvestment  
14      payment, or both, is assigned or transferred to another entity, such entity shall file with GOED  
15      an amended application within sixty days.

16      Section 28. Any person that has timely filed the application and is holding a permit issued  
17      by GOED, and has completed the project, shall file an affidavit for reinvestment payment with  
18      GOED.

19      The affidavit for reinvestment payment shall contain the following information:

- 20      (1)    The project owner's name and contact information;
- 21      (2)    The general description of the project;
- 22      (3)    The date of completion of the project;
- 23      (4)    The final project costs;
- 24      (5)    The amount of South Dakota sales tax, use tax, and contractors excise tax paid for  
25           the construction of the project;
- 26      (6)    The location of the project;
- 27      (7)    The legal description of the project location;
- 28      (8)    A list of the contractors and subcontractors that performed work on the project; and
- 29      (9)    Any other information that GOED may require.

1 The affidavit for reinvestment payment shall be on a form prescribed by the commissioner.  
2 The affidavit for reinvestment payment shall be signed by the project owner and signed under  
3 oath before a notary public. No affidavit for reinvestment payment may include more than one  
4 project.

5 Section 29. The affidavit for reinvestment payment as required by section 28 of this Act  
6 shall be filed no later than six months after the completion of the project. If the affidavit for  
7 reinvestment payment is not timely filed, the person is ineligible for any reinvestment payment  
8 provided by sections 23 to 37, inclusive, of this Act. If the affidavit for reinvestment payment  
9 contains any intentionally false or fraudulent information, the person is ineligible for any  
10 reinvestment payment provided by sections 23 to 37, inclusive, of this Act.

11 No project costs that occur after three years from the construction date are eligible to be  
12 included in the final project cost determination for any reinvestment payment provided by  
13 sections 23 to 37, inclusive, of this Act.

14 Section 30. After the timely receipt of a completed affidavit for reinvestment payment,  
15 within sixty days GOED shall make payment from the reinvestment fund to the project owner  
16 based upon the amount and terms approved by the board as a reinvestment payment. GOED  
17 shall tender the reinvestment payment by electronic funds transfer.

18 Section 31. There is hereby created the reinvestment payment fund for the sole purpose of  
19 making reinvestment payments pursuant to the provisions of sections 23 to 37, inclusive, of this  
20 Act.

21 If the Board of Economic Development approves a reinvestment payment pursuant to the  
22 provisions of sections 23 to 37, inclusive, of this Act, the Department or Revenue shall deposit  
23 a portion or all of the sales and use taxes paid by the project owner up to a maximum amount  
24 of the reinvestment payment approved by the board.

25 The funds in the reinvestment project fund are continuously appropriated to GOED to make  
26 reinvestment payments pursuant to sections 23 to 37, inclusive, of this Act. If any money  
27 deposited in the fund and set aside for a specific reinvestment payment is in excess of the final  
28 reinvestment payment or the specific project becomes ineligible for the reinvestment payment,  
29 such money shall be deposited into the general fund. Interest earned on money in the fund shall  
30 be deposited into the general fund.

31 Section 32. Any person who files an intentionally false or fraudulent application pursuant  
32 to section 25 of this Act is guilty of a Class 1 misdemeanor. Any person who files a false or  
33 fraudulent affidavit for reinvestment payment pursuant to section 28 of this Act is guilty of a  
34 Class 1 misdemeanor.

35 Section 33. If the project is located on land that is included within the agreement area of a  
36 tax collection agreement entered into by the state and an Indian tribe pursuant to chapter  
37 10-12A, the board may only approve a reinvestment payment that is equal to or less than the  
38 percentage of funds that Department of Revenue retains pursuant to the terms of the tax  
39 collection agreement.

1 Section 34. The name of any person that receives a reinvestment payment as provided by  
2 sections 23 to 37, inclusive, of this Act and the amount of the reinvestment payment is public  
3 information and shall be available and open to public inspection as provided in § 1-27-1. The  
4 following information shall be made public on the GOED website as public information:

- 5 (1) An estimated number of the full-time jobs to be created by the project;
- 6 (2) An estimated average wage of the full-time jobs;
- 7 (3) A list of all the local and state economic tools, loans, or grants provided to the  
8 project;
- 9 (4) An estimate of the property taxes to be paid by the project; and
- 10 (5) A statement of why the project would not have occurred in South Dakota without the  
11 reinvestment payment.

12 Section 35. Any person aggrieved by the denial in whole or in part of a reinvestment  
13 payment claimed under the provisions of sections 23 to 37, inclusive, of this Act, may within  
14 thirty days after service of the notice of such denial by the commissioner, demand and is entitled  
15 to a hearing, upon notice, before the commissioner. The hearing shall be conducted pursuant to  
16 chapter 1-26.

17 Section 36. The board may promulgate rules, pursuant to chapter 1-26, concerning the  
18 procedures and forms for applying for and receiving the reinvestment payment, the requirements  
19 necessary to qualify for the reinvestment payment, and the criteria to evaluate projects  
20 submitting applications.

21 Section 37. No person who works for a project may be employed for a compensation  
22 dependent in any manner upon the approval of any government grants, loans, or reinvestment  
23 payments that the person obtains for the project.

24 Section 38. That § 13-13-10.1 be amended to read as follows:

25 13-13-10.1. Terms used in this chapter mean:

- 26 (1) "Average daily membership," the average number of resident and nonresident  
27 kindergarten through twelfth grade pupils enrolled in all schools operated by the  
28 school district during the previous regular school year, minus average number of  
29 pupils for whom the district receives tuition, except pupils described in subdivision  
30 (1A) and pupils for whom tuition is being paid pursuant to § 13-28-42.1 and plus the  
31 average number of pupils for whom the district pays tuition;
- 32 (1A) Nonresident students who are in the care and custody of the Department of Social  
33 Services, the Unified Judicial System, the Department of Corrections, or other state  
34 agencies and are attending a public school may be included in the average daily  
35 membership of the receiving district when enrolled in the receiving district. When

counting a student who meets these criteria in its general enrollment average daily membership, the receiving district may begin the enrollment on the first day of attendance. The district of residence prior to the custodial transfer may not include students who meet these criteria in its general enrollment average daily membership after the student ceases to attend school in the resident district;

(2) "Adjusted average daily membership," calculated as follows:

(a) For districts with an average daily membership of two hundred or less, multiply 1.2 times the average daily membership;

(b) For districts with an average daily membership of less than six hundred, but greater than two hundred, raise the average daily membership to the 0.8293 power and multiply the result times 2.98;

(c) For districts with an average daily membership of six hundred or more, multiply 1.0 times their average daily membership;

(2A) "Fall enrollment," the number of kindergarten through twelfth grade students enrolled in all schools operated by the school district on the last Friday of September of the current school year minus the number of students for whom the district receives tuition, except nonresident students who are in the care and custody of a state agency and are attending a public school and students for whom tuition is being paid pursuant to § 13-28-42.1, plus the number of students for whom the district pays tuition. When computing state aid to education for a school district under the foundation program pursuant to § 13-13-73, the secretary of the Department of Education shall use either the school district's fall enrollment or the average of the school district's fall enrollment from the previous two years, whichever is higher;

(2B) Repealed by SL 2010, ch 84, § 1.

(2C) "Small school adjustment," calculated as follows:

(a) For districts with a fall enrollment of two hundred or less, multiply 0.2 times \$4,237.72;

(b) For districts with a fall enrollment of greater than two hundred, but less than six hundred, multiply the fall enrollment times negative 0.0005; add 0.3 to that result; and multiply the sum obtained times \$4,237.72;

The determination of the small school adjustment for a school district may not include any students residing in a residential treatment facility when the education program is operated by the school district;

(2D) "Limited English proficiency (LEP) adjustment," is calculated as follows:

(a) Multiply 0.25 times the per student allocation; and



1           (b) Multiply the product obtained in subsection (a) times the number of  
2           kindergarten through twelfth grade students who, in the prior school year,  
3           scored below level four on the state-administered language proficiency  
4           assessment as required in the state's consolidated state application pursuant to  
5           20 USC 6311(b)(7) as of January 1, 2013;

6           (3) "Index factor," is the annual percentage change in the consumer price index for urban  
7           wage earners and clerical workers as computed by the Bureau of Labor Statistics of  
8           the United States Department of Labor for the year before the year immediately  
9           preceding the year of adjustment or three percent, whichever is less;

10          (4) "Per student allocation," for school fiscal year 2012 is \$4,389.95. Each school fiscal  
11          year thereafter, the per student allocation is the previous fiscal year's per student  
12          allocation increased by the index factor;

13          (5) "Local need," is the sum of:

14           (a) The per student allocation multiplied by the fall enrollment; ~~and~~

15           (b) The small school adjustment, if applicable, multiplied by the fall enrollment;  
16           and

17           (c) The limited English proficiency (LEP) adjustment, calculated pursuant to  
18           subdivision (2D), if applicable;

19          (6) "Local effort," the amount of ad valorem taxes generated in a school fiscal year by  
20          applying the levies established pursuant to § 10-12-42;

21          (7) "General fund balance percentage," is a school district's general fund equity divided  
22          by the school district's total general fund expenditures for the previous school fiscal  
23          year, the quotient expressed as a percent;

24          (8) "General fund reserves," the sum of a school district's nonspendable and restricted  
25          fund balances of the general fund;

26          (9) "Nonspendable fund balance," that amount of the fund balance that is not in  
27          spendable form;

28          (10) "Restricted fund balance," that amount of the fund balance that has constraints on  
29          how it may be used that are externally imposed or are imposed by law.

30          Section 39. That § 13-13-73 be amended to read as follows:

31          13-13-73. The secretary of the Department of Education shall compute state aid to education  
32          for each school district under the foundation program according to the following calculations:

33          (1) Determine each school district's fall enrollment;

- 1 (2) To arrive at the local need per district:
- 2 (a) Multiply the per student allocation by the fall enrollment;
- 3 (b) Multiply the small school adjustment, if applicable, by the fall enrollment; ~~and~~
- 4 (c) Calculate the limited English proficiency (LEP) adjustment pursuant to
- 5 subdivision (2D), if applicable; and
- 6 (d) Add the product of subsection (a) to the product of subsection (b) and to the
- 7 calculation in subsection (c);
- 8 (3) State aid is (a) local need minus local effort, or (b) zero if the calculation in (a) is a
- 9 negative number;
- 10 (4) If the state aid appropriation for the general support of education is in excess of the
- 11 entitlement provided for in this section and the entitlement provided for in
- 12 § 13-13 -85, the excess shall be used to fund any shortfall of the appropriation as
- 13 provided for in § 13-37-36.3. The secretary shall report to the Governor by January
- 14 seventh of each year, the amount of state aid necessary to fully fund the general aid
- 15 formula in the current year. If a shortfall in the state aid appropriation for general
- 16 education exists that cannot be covered by § 13-37-45, the Governor shall inform the
- 17 Legislature and provide a proposal to eliminate the shortfall.

18       Section 40. Whereas, this Act is necessary for the support of the state government and its  
19       existing public institutions, an emergency is hereby declared to exist, and this Act shall be in  
20       full force and effect from and after its passage and approval."

21 235fta

On page 1, line 1, of the printed bill, delete everything after "to" and insert "create the building South Dakota fund, to deposit certain money into the building South Dakota fund, to create certain programs and funds to enhance economic development, to make continuous appropriations to these funds, to provide certain reinvestment payments to stimulate economic development and investment, to revise the state aid to general education formula by including an adjustment for students with limited English proficiency, and to declare an emergency.".

28 On page 1, delete line 2.

29 And that as so amended said bill do pass.

1 Also MR. SPEAKER:

2 The Committee on State Affairs respectfully reports that it has had under consideration  
3 SB 207 which was deferred to the 41<sup>st</sup> Legislative Day.

4 Respectfully submitted,  
5 David Lust, Chair

6 Also MR. SPEAKER:

7 The Committee on Commerce and Energy respectfully reports that it has had under  
8 consideration SB 75 and returns the same with the recommendation that said bill do pass and  
9 be placed on the consent calendar.

10 Also MR. SPEAKER:

11 The Committee on Commerce and Energy respectfully reports that it has had under  
12 consideration SB 195 and returns the same with the recommendation that said bill be amended  
13 as follows:

14 195jc

15 On page 2, line 7, of the Senate Commerce and Energy Committee engrossed bill, after  
16 "bases," insert "foundations,".

17 On page 3, line 2, delete "April" and insert "July".

18 On page 3, line 3, after "." insert "No cost incurred prior to July 1, 2013, may be included  
19 as a project cost for the purpose of this Act.".

20 On page 4, line 20, after "paid" insert "by the project owner".

21 On page 5, line 9, delete everything after "." and insert "If the person filing the affidavit for  
22 incentive payment knowingly makes a materially false statement or report, the person is  
23 ineligible for any incentive payment provided by this Act.".

24 On page 5, delete line 10.

25 On page 5, line 15, delete "as" and insert "rounded down to the nearest million dollars and  
26 shall be equal to two and three-quarters percent of the final project costs as rounded.".

27 On page 5, delete lines 16 to 24, inclusive.

28 Delete page 6.

1 On page 7, delete lines 1 to 17, inclusive.

2 On page 7, line 21, after "." insert "The department may not pay interest on the incentive  
3 payment to the project owner. The department shall pay the incentive payment to the project  
4 owner within ninety days of the receipt of the affidavit for incentive payment. If the department  
5 requests additional documents or information from the project owner, the ninety day period shall  
6 begin to run from the date of receipt of the additional documentation or information.

7 If the department discovers, after the incentive payment has been made, that the amount of  
8 the final project cost was inaccurately determined and the incentive payment exceeded the  
9 correct incentive amount, the project owner shall return to the department the excess incentive  
10 payment. If the project owner fails to return the excess incentive payment to the department  
11 within thirty days of notice of the excess incentive payment, the excess incentive payment shall  
12 constitute a debt to the state and a lien in favor of the state upon all property and rights to  
13 property whether real or personal belonging to the project owner and may be recovered in an  
14 action of debt by the department."

15 On page 7, delete lines 22 to 23, inclusive, and insert:

16 " Section 8. There is hereby created the wind energy incentive fund for the sole purpose of  
17 making incentive payments pursuant to the provisions of this Act.

18 The department shall deposit into the wind energy incentive fund sufficient sales and use  
19 taxes imposed by chapters 10-45 and 10-46 and contractors excise taxes imposed by chapters  
20 10-46A and 10-46B to make the incentive payments required by the provisions of this Act.

21 The funds in the wind energy incentive fund are continuously appropriated to the department  
22 to make incentive payments pursuant to this Act. The department shall deposit any interest  
23 earned into the general fund. The department shall deposit any moneys set aside for a specific  
24 incentive payment remaining in the wind energy incentive fund after the department makes the  
25 specific incentive payment, or the specific project becomes ineligible for the incentive payment,  
26 into the general fund."

27 On page 8, delete lines 3 to 5, inclusive, and insert:

28 " Section 10. Any person who knowingly makes any material false statement in the  
29 application filed pursuant to section 3 of this Act or who files a fraudulent application pursuant  
30 to section 3 of this Act is guilty of a Class 6 felony. Any person who knowingly makes any  
31 material false statement in the affidavit for incentive payment filed pursuant to section 5 of this  
32 Act or who files a fraudulent affidavit pursuant to section 5 of this Act is guilty of a Class 6  
33 felony."

34 On page 9, line 14, delete "April" and insert "July".

35 On page 10, delete lines 10 to 12, inclusive.

1 195jtc

2 On page 1, line 3, of the Senate Commerce and Energy Committee engrossed bill, delete  
3 "and to declare an emergency" and insert "and to make a continuous appropriation".

4 And that as so amended said bill do pass.

5 Also MR. SPEAKER:

6 The Committee on Commerce and Energy respectfully reports that it has had under  
7 consideration SB 157 which was tabled.

8 Respectfully submitted,  
9 Roger D. Solum, Chair

10 Also MR. SPEAKER:

11 The Committee on Judiciary respectfully reports that it has had under consideration SJR 2  
12 and returns the same with the recommendation that said resolution do pass.

13 Also MR. SPEAKER:

14 The Committee on Judiciary respectfully reports that it has had under consideration SB 185  
15 and 186 and returns the same with the recommendation that said bills do pass and be placed on  
16 the consent calendar.

17 Also MR. SPEAKER:

18 The Committee on Judiciary respectfully reports that it has had under consideration SB 182  
19 which was tabled.

20 Also MR. SPEAKER:

21 The Committee on Judiciary respectfully reports that it has had under consideration SB 183  
22 which was deferred to the 41<sup>st</sup> Legislative Day.

23 Respectfully submitted,  
24 Brian G. Gosch, Chair

## REPORTS OF CONFERENCE COMMITTEES

Cc151A

MR. SPEAKER:

The Conference Committee respectfully reports that it has considered SB 151 and the amendments thereto made by the House, and the disagreement of the two houses thereon, and recommends that SB 151 be amended as follows:

151fj

On page 1, line 7, of the House engrossed bill, delete "section 6" and insert "section 2".

Respectfully submitted,  
Mike Verchio  
House Committee Chair

Respectfully submitted,  
Mike Vehle  
Senate Committee Chair

## MESSAGES FROM THE SENATE

MR. SPEAKER:

I have the honor to return herewith HB 1056, 1120, 1170, 1209, and 1237 which have passed the Senate without change.

Also MR. SPEAKER:

I have the honor to inform your honorable body that the Senate has concurred in House amendments to SB 1, 71, and 80.

Also MR. SPEAKER:

I have the honor to inform your honorable body that the Senate has failed to concur in House amendments to SB 5 and has appointed Sens. Olson, White, and Lucas as a committee of three on the part of the Senate to meet with a like committee on the part of the House to adjust the differences between the two houses.

1 Also MR. SPEAKER:

2 I have the honor to inform your honorable body that the Senate has failed to concur in  
3 House amendments to SB 39 and has appointed Sens. Tieszen, Vehle, and Welke as a  
4 committee of three on the part of the Senate to meet with a like committee on the part of the  
5 House to adjust the differences between the two houses.

6 Respectfully,  
7 Jeannette Schipper, Secretary

8 **MOTIONS AND RESOLUTIONS**

9 Rep. Nelson moved that the Committee on State Affairs be instructed to deliver SB 207  
10 to the floor of the House, pursuant to Joint Rule 7-7.

11 Which motion lost.

12 Rep. Munsterman moved that the House do concur in Senate amendments to HB 1075.

13 The question being on Rep. Munsterman's motion that the House do concur in Senate  
14 amendments to HB 1075.

15 And the roll being called:

16 Yeas 57, Nays 2, Excused 11, Absent 0

17 Yeas:

18 Bartling; Cammack; Campbell; Conzet; Craig; Cronin; Duvall; Ecklund; Erickson; Feickert;  
19 Feinstein; Gibson; Haggar (Jenna); Hajek; Hansen; Hawks; Heinemann (Leslie); Heinert;  
20 Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser; Killer; Kirschman; Latterell; Lust;  
21 Magstadt; May; Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten  
22 (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Rounds; Rozum; Schaefer; Schoenfish;  
23 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Westra; Wick;  
24 Speaker Gosch

25 Nays:

26 Greenfield; Russell

27 Excused:

28 Bolin; Carson; Dryden; Haggar (Don); Hawley; Kopp; Mickelson; Romkema; Werner; Wink;  
29 Wismer

30 So the motion having received an affirmative vote of a majority of the members-elect, the  
31 Speaker declared the motion carried and the amendments were concurred in.

1 Rep. Craig moved that the House do concur in Senate amendments to HB 1087.

2 Rep. Parsley moved as a substitute motion that the House do not concur in Senate  
3 amendments to HB 1087 and that a committee of three on the part of the House be appointed  
4 to meet with a like committee on the part of the Senate to adjust the differences between the two  
5 houses.

6 A roll call vote was requested and supported.

7 The question being on Rep. Parsley's substitute motion that the House do not concur in  
8 Senate amendments to HB 1087 and that a committee of three on the part of the House be  
9 appointed to meet with a like committee on the part of the Senate to adjust the differences  
10 between the two houses.

11 And the roll being called:

12 Yeas 17, Nays 42, Excused 11, Absent 0

13 Yeas:

14 Bartling; Feickert; Feinstein; Gibson; Hawks; Heinert; Hunhoff (Bernie); Killer; Kirschman;  
15 Parsley; Peterson; Ring; Schaefer; Schrempp; Soli; Solum; Tyler

16 Nays:

17 Cammack; Campbell; Conzet; Craig; Cronin; Duvall; Ecklund; Erickson; Greenfield; Haggar  
18 (Jenna); Hajek; Hansen; Heinemann (Leslie); Hickey; Hoffman; Johns; Kaiser; Latterell; Lust;  
19 Magstadt; May; Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten  
20 (Herman); Qualm; Rasmussen; Rounds; Rozum; Russell; Schoenfish; Sly; Stalzer; Steele;  
21 Stevens; Tulson; Verchio; Westra; Wick; Speaker Gosch

22 Excused:

23 Bolin; Carson; Dryden; Haggar (Don); Hawley; Kopp; Mickelson; Romkema; Werner; Wink;  
24 Wismer

25 So the motion not having received an affirmative vote of a majority of the members  
26 present, the Speaker declared the motion lost.

27 The question being on Rep. Craig's motion that the House do concur in Senate amendments  
28 to HB 1087.

29 And the roll being called:

30 Yeas 40, Nays 19, Excused 11, Absent 0



1 Yeas:

2 Cammack; Campbell; Conzet; Craig; Cronin; Duvall; Ecklund; Erickson; Greenfield; Haggar  
3 (Jenna); Hajek; Hansen; Heinemann (Leslie); Hickey; Hoffman; Kaiser; Latterell; Lust;  
4 Magstadt; May; Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten  
5 (Herman); Qualm; Rasmussen; Rounds; Rozum; Russell; Schoenfish; Sly; Stalzer; Steele;  
6 Stevens; Verchio; Westra; Wick; Speaker Gosch

7 Nays:

8 Bartling; Feickert; Feinstein; Gibson; Hawks; Heinert; Hunhoff (Bernie); Johns; Killer;  
9 Kirschman; Parsley; Peterson; Ring; Schaefer; Schrempp; Soli; Solum; Tulson; Tyler

10 Excused:

11 Bolin; Carson; Dryden; Haggar (Don); Hawley; Kopp; Mickelson; Romkema; Werner; Wink;  
12 Wismer

13 So the motion having received an affirmative vote of a majority of the members-elect, the  
14 Speaker declared the motion carried and the amendments were concurred in.

15 Rep. Hoffman moved that the House do concur in Senate amendments to HB 1126.

16 The question being on Rep. Hoffman's motion that the House do concur in Senate  
17 amendments to HB 1126.

18 And the roll being called:

19 Yeas 57, Nays 2, Excused 11, Absent 0

20 Yeas:

21 Bartling; Cammack; Campbell; Conzet; Craig; Cronin; Duvall; Ecklund; Erickson; Feickert;  
22 Feinstein; Gibson; Greenfield; Haggar (Jenna); Hajek; Hansen; Hawks; Heinemann (Leslie);  
23 Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser; Killer; Kirschman; Lust; Magstadt;  
24 May; Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley;  
25 Peterson; Qualm; Rasmussen; Ring; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly;  
26 Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Westra; Wick; Speaker Gosch

27 Nays:

28 Latterell; Russell

29 Excused:

30 Bolin; Carson; Dryden; Haggar (Don); Hawley; Kopp; Mickelson; Romkema; Werner; Wink;  
31 Wismer

32 So the motion having received an affirmative vote of a two-thirds majority of the members-  
33 elect, the Speaker declared the motion carried and the amendments were concurred in.

1 Rep. Gibson moved that the House do concur in Senate amendments to HB 1144.

2 The question being on Rep. Gibson's motion that the House do concur in Senate  
3 amendments to HB 1144.

4 And the roll being called:

5 Yeas 55, Nays 4, Excused 11, Absent 0

6 Yeas:

7 Bartling; Cammack; Campbell; Conzet; Craig; Cronin; Duvall; Ecklund; Erickson; Feickert;  
8 Feinstein; Gibson; Greenfield; Hajek; Hansen; Hawks; Heinemann (Leslie); Heinert; Hickey;  
9 Hoffman; Hunhoff (Bernie); Johns; Kaiser; Killer; Kirschman; Latterell; Lust; Magstadt; May;  
10 Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Parsley; Peterson; Rasmussen;  
11 Ring; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer;  
12 Steele; Stevens; Tulson; Tyler; Westra; Wick; Speaker Gosch

13 Nays:

14 Haggar (Jenna); Otten (Herman); Qualm; Verchio

15 Excused:

16 Bolin; Carson; Dryden; Haggar (Don); Hawley; Kopp; Mickelson; Romkema; Werner; Wink;  
17 Wismer

18 So the motion having received an affirmative vote of a majority of the members-elect, the  
19 Speaker declared the motion carried and the amendments were concurred in.

20 Rep. Lust moved that the House do concur in Senate amendments to HB 1163.

21 The question being on Rep. Lust's motion that the House do concur in Senate amendments  
22 to HB 1163.

23 And the roll being called:

24 Yeas 59, Nays 0, Excused 11, Absent 0

25 Yeas:

26 Bartling; Cammack; Campbell; Conzet; Craig; Cronin; Duvall; Ecklund; Erickson; Feickert;  
27 Feinstein; Gibson; Greenfield; Haggar (Jenna); Hajek; Hansen; Hawks; Heinemann (Leslie);  
28 Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser; Killer; Kirschman; Latterell; Lust;  
29 Magstadt; May; Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten  
30 (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Rounds; Rozum; Russell; Schaefer;  
31 Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio;  
32 Westra; Wick; Speaker Gosch

1           Excused:

2   Bolin; Carson; Dryden; Haggar (Don); Hawley; Kopp; Mickelson; Romkema; Werner; Wink;  
3   Wismer

4           So the motion having received an affirmative vote of a majority of the members-elect, the  
5   Speaker declared the motion carried and the amendments were concurred in.

6           Rep. Cronin moved that the House do concur in Senate amendments to HB 1208.

7           The question being on Rep. Cronin's motion that the House do concur in Senate  
8   amendments to HB 1208.

9           And the roll being called:

10          Yeas 57, Nays 1, Excused 12, Absent 0

11          Yeas:

12   Bartling; Cammack; Campbell; Conzet; Cronin; Duvall; Ecklund; Erickson; Feickert; Feinstein;  
13   Gibson; Greenfield; Haggar (Jenna); Hajek; Hansen; Hawks; Heinemann (Leslie); Heinert;  
14   Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser; Killer; Kirschman; Latterell; Lust;  
15   Magstadt; May; Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten  
16   (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Rounds; Rozum; Schaefer; Schoenfish;  
17   Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Westra; Wick;  
18   Speaker Gosch

19          Nays:

20   Russell

21          Excused:

22   Bolin; Carson; Craig; Dryden; Haggar (Don); Hawley; Kopp; Mickelson; Romkema; Werner;  
23   Wink; Wismer

24          So the motion having received an affirmative vote of a majority of the members-elect, the  
25   Speaker declared the motion carried and the amendments were concurred in.

26                           **CONSIDERATION OF REPORTS OF COMMITTEES**

27          Rep. Lust moved that the reports of the Standing Committees on

28          Transportation on SB 143 as found on page 590 of the House Journal; also

29          Taxation on SB 51 as found on page 590 of the House Journal be adopted.

30          Which motion prevailed.

**1 SECOND READING OF CONSENT CALENDAR ITEMS**

2 SB 154: FOR AN ACT ENTITLED, An Act to revise the maximum weight allowed on  
3 certain wide-based super single tires.

4 Was read the second time.

5 The question being "Shall SB 154 pass as amended?"

6 And the roll being called:

7 Yeas 58, Nays 0, Excused 12, Absent 0

8 Yeas:

9 Bartling; Cammack; Campbell; Conzet; Cronin; Duvall; Ecklund; Erickson; Feickert; Feinstein;  
10 Gibson; Greenfield; Haggar (Jenna); Hajek; Hansen; Hawks; Heinemann (Leslie); Heinert;  
11 Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser; Killer; Kirschman; Latterell; Lust;  
12 Magstadt; May; Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten  
13 (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Rounds; Rozum; Russell; Schaefer;  
14 Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio;  
15 Westra; Wick; Speaker Gosch

16 Excused:

17 Bolin; Carson; Craig; Dryden; Haggar (Don); Hawley; Kopp; Mickelson; Romkema; Werner;  
18 Wink; Wismer

19 So the bill having received an affirmative vote of a majority of the members-elect, the  
20 Speaker declared the bill passed and the title was agreed to.

**21 SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

22 SB 166: FOR AN ACT ENTITLED, An Act to revise the number of years that permits to  
23 carry a concealed weapon are valid.

24 Was read the second time.

25 The question being "Shall SB 166 pass?"

26 And the roll being called:

27 Yeas 59, Nays 0, Excused 11, Absent 0

1 Yeas:

2 Bartling; Cammack; Campbell; Conzet; Craig; Cronin; Duvall; Ecklund; Erickson; Feickert;  
3 Feinstein; Gibson; Greenfield; Haggar (Jenna); Hajek; Hansen; Hawks; Heinemann (Leslie);  
4 Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser; Killer; Kirschman; Latterell; Lust;  
5 Magstadt; May; Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten  
6 (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Rounds; Rozum; Russell; Schaefer;  
7 Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio;  
8 Westra; Wick; Speaker Gosch

9 Excused:

10 Bolin; Carson; Dryden; Haggar (Don); Hawley; Kopp; Mickelson; Romkema; Werner; Wink;  
11 Wismer

12 So the bill having received an affirmative vote of a majority of the members-elect, the  
13 Speaker declared the bill passed and the title was agreed to.

14 SB 106: FOR AN ACT ENTITLED, An Act to prohibit certain minors from using wireless  
15 communication devices while operating motor vehicles upon the public highways.

16 Having had its second reading was up for reconsideration and final passage.

17 Rep. Hunhoff moved that SB 106 be placed to follow SB 158 on today's calendar.

18 Which motion lost.

19 106ta

20 Rep. Nelson moved that SB 106 be amended as follows:

21 On page 2, line 21, of the printed bill, after "." insert "No holder of an instruction permit  
22 may engage in premarital sexual relations, obtain an abortion without parental consent, stay out  
23 past parental curfews, consume alcoholic beverages, consume illegal drugs or abuse prescription  
24 drugs, fail to attend religious services prescribed by parents, fail to do all assigned chores at  
25 home, fail to get A's in school, back talk teachers or parents, wear provocative or revealing  
26 clothing, use profane language, fail to read a good book a week, bully friends or other students,  
27 watch more than one hour of television a day, play violent video games, eat junk food more than  
28 twice a week, fail to eat their broccoli, or, any other socially deemed inappropriate activities.".

29 On page 3, line 19, after "." insert "No holder of an instruction permit may engage in  
30 premarital sexual relations, obtain an abortion without parental consent, stay out past parental  
31 curfews, consume alcoholic beverages, consume illegal drugs or abuse prescription drugs, fail  
32 to attend religious services prescribed by parents, fail to do all assigned chores at home, fail to  
33 get A's in school, back talk teachers or parents, wear provocative or revealing clothing, use  
34 profane language, fail to read a good book a week, bully friends or other students, watch more

1 than one hour of television a day, play violent video games, eat junk food more than twice a  
2 week, fail to eat their broccoli, or, any other socially deemed inappropriate activities."

3 A roll call vote was requested and supported.

4 The question being on Rep. Nelson's motion that SB 106 be amended.

5 And the roll being called:

6 Yeas 2, Nays 64, Excused 4, Absent 0

7 Yeas:

8 Greenfield; Nelson

9 Nays:

10 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
11 Erickson; Feickert; Feinstein; Gibson; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks;  
12 Hawley; Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser; Killer; Kirschman;  
13 Latterell; Lust; Magstadt; May; Miller; Munsterman; Novstrup (David); Olson (Betty); Otten  
14 (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell;  
15 Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler;  
16 Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

17 Excused:

18 Carson; Heinemann (Leslie); Kopp; Mickelson

19 So the motion not having received an affirmative vote of a majority of the members-  
20 present, the Speaker declared the motion lost.

21 Rep. Lust moved the previous question.

22 Which motion prevailed.

23 The question being "Shall SB 106 pass as amended?"

24 And the roll being called:

25 Yeas 43, Nays 23, Excused 4, Absent 0

1 Yeas:

2 Bartling; Bolin; Cammack; Conzet; Craig; Dryden; Duvall; Ecklund; Erickson; Feickert;  
3 Feinstein; Gibson; Hajek; Hawks; Hawley; Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns;  
4 Killer; Kirschman; Lust; Magstadt; Miller; Munsterman; Otten (Herman); Parsley; Peterson;  
5 Rasmussen; Ring; Romkema; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Stevens;  
6 Tyler; Werner; Wink; Wismer

7 Nays:

8 Campbell; Cronin; Greenfield; Haggar (Don); Haggar (Jenna); Hansen; Kaiser; Latterell; May;  
9 Nelson; Novstrup (David); Olson (Betty); Qualm; Rounds; Russell; Solum; Stalzer; Steele;  
10 Tulson; Verchio; Westra; Wick; Speaker Gosch

11 Excused:

12 Carson; Heinemann (Leslie); Kopp; Mickelson

13 So the bill having received an affirmative vote of a majority of the members-elect, the  
14 Speaker declared the bill passed and the title was agreed to.

15 SB 199: FOR AN ACT ENTITLED, An Act to exempt certain property used for  
16 educational purposes from taxation.

17 Was read the second time.

18 The question being "Shall SB 199 pass as amended?"

19 And the roll being called:

20 Yeas 58, Nays 0, Excused 12, Absent 0

21 Yeas:

22 Bartling; Cammack; Campbell; Conzet; Craig; Cronin; Duvall; Ecklund; Erickson; Feickert;  
23 Feinstein; Gibson; Greenfield; Haggar (Jenna); Hajek; Hansen; Hawks; Heinert; Hickey;  
24 Hoffman; Hunhoff (Bernie); Johns; Kaiser; Killer; Kirschman; Latterell; Lust; Magstadt; May;  
25 Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley;  
26 Peterson; Qualm; Rasmussen; Ring; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp;  
27 Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Westra; Wick; Speaker  
28 Gosch

29 Excused:

30 Bolin; Carson; Dryden; Haggar (Don); Hawley; Heinemann (Leslie); Kopp; Mickelson;  
31 Romkema; Werner; Wink; Wismer

32 So the bill having received an affirmative vote of a majority of the members-elect, the  
33 Speaker declared the bill passed and the title was agreed to.

1 Rep. Lust moved that SB 10 and 11 be placed to follow SB 158 on today's calendar.

2 Which motion prevailed.

3 SB 59: FOR AN ACT ENTITLED, An Act to prohibit the disposal of certain oil and gas  
4 field wastes.

5 Was read the second time.

6 The question being "Shall SB 59 pass as amended?"

7 And the roll being called:

8 Yeas 53, Nays 5, Excused 12, Absent 0

9 Yeas:

10 Bartling; Cammack; Campbell; Conzet; Craig; Duvall; Ecklund; Erickson; Feinstein; Gibson;  
11 Greenfield; Haggar (Jenna); Hajek; Hansen; Hawks; Heinert; Hickey; Hoffman; Hunhoff  
12 (Bernie); Johns; Kaiser; Killer; Kirschman; Latterell; Magstadt; May; Miller; Munsterman;  
13 Nelson; Novstrup (David); Otten (Herman); Parsley; Peterson; Qualm; Ring; Rounds; Rozum;  
14 Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson;  
15 Tyler; Verchio; Westra; Wick; Speaker Gosch

16 Nays:

17 Cronin; Feickert; Lust; Olson (Betty); Rasmussen

18 Excused:

19 Bolin; Carson; Dryden; Haggar (Don); Hawley; Heinemann (Leslie); Kopp; Mickelson;  
20 Romkema; Werner; Wink; Wismer

21 So the bill having received an affirmative vote of a majority of the members-elect, the  
22 Speaker declared the bill passed and the title was agreed to.

23 SB 216: FOR AN ACT ENTITLED, An Act to establish a state-wide driver education  
24 program and make an appropriation therefor.

25 Was read the second time.



1 216ob

2 Rep. Duvall moved that SB 216 be amended as follows:

3 On page 2 of the House Transportation Committee engrossed bill, delete lines 5 to 11,  
4 inclusive.

5 Which motion lost.

6 The question being "Shall SB 216 pass as amended?"

7 And the roll being called:

8 Yeas 37, Nays 21, Excused 12, Absent 0

9 Yeas:

10 Bartling; Cammack; Conzet; Cronin; Duvall; Feickert; Feinstein; Gibson; Hajek; Hansen;  
11 Hawks; Heinert; Hickey; Hunhoff (Bernie); Johns; Killer; Kirschman; Lust; Magstadt; Miller;  
12 Munsterman; Nelson; Otten (Herman); Parsley; Peterson; Rasmussen; Ring; Rozum; Schaefer;  
13 Schoenfish; Schrempp; Sly; Soli; Solum; Stevens; Tyler; Westra

14 Nays:

15 Campbell; Craig; Ecklund; Erickson; Greenfield; Haggar (Jenna); Hoffman; Kaiser; Latterell;  
16 May; Novstrup (David); Olson (Betty); Qualm; Rounds; Russell; Stalzer; Steele; Tulson;  
17 Verchio; Wick; Speaker Gosch

18 Excused:

19 Bolin; Carson; Dryden; Haggar (Don); Hawley; Heinemann (Leslie); Kopp; Mickelson;  
20 Romkema; Werner; Wink; Wismer

21 So the bill not having received an affirmative vote of a two-thirds majority of the members-  
22 elect, the Speaker declared the bill lost.

23 Rep. Gibson announced her intention to reconsider the vote by which SB 216 lost.

24 SB 180: FOR AN ACT ENTITLED, An Act to amend certain provisions relating to the  
25 publication of payroll information.

26 Was read the second time.

1

180oa

2

Rep. Cronin moved that SB 180 be amended as follows:

3

On page 1, line 12, of the House Local Government Committee engrossed bill, after "entity." Insert "If the information is provided on a website, a notice shall be published annually in the legal newspaper of the governmental entity stating the entity's website and where the information may be found on the entity's website."

7

Which motion prevailed.

8

180td

9

Rep. Nelson moved that SB 180 be further amended as follows:

10

On the House Local Government Committee engrossed bill, delete everything after the

enacting clause and insert:

12

" Section 1. That § 6-1-10 be amended to read as follows:

13

6-1-10. Notwithstanding the provisions of §§ 7-18-3, 9-18-1, and 13-8-35, ~~the boards each~~ board of county commissioners, the governing board of each municipal corporation, and school boards each school board shall publish with the minutes of the first meeting following the beginning of the fiscal year, or within thirty days thereafter, or in the minutes of the first meeting following the completion of salary negotiations with employees for that fiscal year, or within thirty days thereafter, a complete list of all the salaries and benefits of all officers and employees and thereafter shall publish once any salary and benefits paid to any officer or employee who has been added or whose salary has or benefits have been increased. The governing board shall publish, in their minutes, at least monthly, a total of payroll by department. For purposes of this section, the term, benefits, means the total dollar amount paid to each employee and officer for the employer's share of Federal Insurance Contributions Act (FICA), Supplemental Security Income (SSI), retirement, any nonprofessional membership fee, and the average amount paid per employee or officer for health insurance annually.

26

Section 2. That chapter 13-49 be amended by adding thereto a NEW SECTION to read as

27

follows:

28

At least once each year, the Board of Regents shall publish in at least three newspapers of general circulation in different parts of the state a complete list of all of the salaries and benefits of all officers, instructors, and employees of the board and of any institution under the control of the board. For purposes of this section, the term, benefits, means the total dollar amount paid to each employee and officer for the employer's share of Federal Insurance Contributions Act (FICA), Supplemental Security Income (SSI), retirement, any nonprofessional membership fee, and the average amount paid per employee or officer for health insurance annually."

35

Which motion lost.

1 180ob

2 Rep. Rozum moved that SB 180 be further amended as follows:

3 On the House Local Government engrossed bill delete all House Local Government  
4 amendments thus restoring the bill to the Senate engrossed version.

5 The Speaker, being in doubt of the voice vote, called for a division of the House.

6 Which motion prevailed.

7 180xa

8 Rep. Johns moved that SB 180 be further amended as follows:

9 On page 2, line 1, of the printed bill, delete "Supplemental Security" and insert "Social  
10 Security and Medicare taxes".

11 On page 2, line 2, delete "Income (SSI)".

12 Rep. Johns motion to amend on SB 180 was withdrawn.

13 180xb

14 Rep. Wismer moved that SB 180 be further amended as follows:

15 On page 2, line 1, of the House Local Government Committee engrossed bill, delete  
16 "Federal Insurance Contributions Act (FICA), Supplemental Security" and insert "Social  
17 Security and Medicare taxes".

18 On page 2, line 2, delete "Income (SSI)".

19 Which motion prevailed.

20 The question being "Shall SB 180 pass as amended?"

21 And the roll being called:

22 Yeas 28, Nays 40, Excused 2, Absent 0

1 Yeas:

2 Campbell; Conzet; Craig; Cronin; Erickson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;  
3 Hansen; Heinemann (Leslie); Kaiser; Latterell; Lust; Magstadt; Miller; Munsterman; Nelson;  
4 Novstrup (David); Olson (Betty); Otten (Herman); Qualm; Russell; Sly; Stalzer; Werner; Wick;  
5 Speaker Gosch

6 Nays:

7 Bartling; Bolin; Cammack; Dryden; Duvall; Ecklund; Feickert; Feinstein; Gibson; Hawks;  
8 Hawley; Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman; May;  
9 Mickelson; Parsley; Peterson; Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer;  
10 Schoenfish; Schrempp; Soli; Solum; Steele; Stevens; Tulson; Tyler; Verchio; Westra; Wink;  
11 Wismer

12 Excused:

13 Carson; Kopp

14 So the bill not having received an affirmative vote of a majority of the members-elect, the  
15 Speaker declared the bill lost.

16 SB 66: FOR AN ACT ENTITLED, An Act to revise the style and form of certain  
17 provisions, to amend certain provisions to streamline and clarify, and to repeal certain obsolete  
18 and unnecessary provisions pertaining to the Real Estate Commission.

19 Was read the second time.

20 The question being "Shall SB 66 pass as amended?"

21 And the roll being called:

22 Yeas 68, Nays 0, Excused 2, Absent 0

23 Yeas:

24 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
25 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;  
26 Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);  
27 Johns; Kaiser; Killer; Kirschman; Latterell; Lust; Magstadt; May; Mickelson; Miller;  
28 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;  
29 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;  
30 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;  
31 Wick; Wink; Wismer; Speaker Gosch

32 Excused:

33 Carson; Kopp

34 So the bill having received an affirmative vote of a majority of the members-elect, the  
35 Speaker declared the bill passed and the title was agreed to.

1 Rep. Cronin moved that SB 111 be placed to follow SB 11 on today's calendar.

2 Which motion prevailed.

3 Speaker Pro tempore Wink now presiding.

4 SB 153: FOR AN ACT ENTITLED, An Act to clarify, remove inconsistencies from, and  
5 revise certain provisions relating to the formation and operation of watershed districts.

6 Was read the second time.

7 The question being "Shall SB 153 pass as amended?"

8 And the roll being called:

9 Yeas 67, Nays 1, Excused 2, Absent 0

10 Yeas:

11 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
12 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;  
13 Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);  
14 Johns; Kaiser; Killer; Kirschman; Latterell; Lust; Magstadt; May; Mickelson; Miller;  
15 Munsterman; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;  
16 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly;  
17 Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink;  
18 Wismer; Speaker Gosch

19 Nays:

20 Nelson

21 Excused:

22 Carson; Kopp

23 So the bill having received an affirmative vote of a majority of the members-elect, the  
24 Speaker declared the bill passed and the title was agreed to.

25 Speaker Gosch now presiding.

26 SB 158: FOR AN ACT ENTITLED, An Act to provide for the funding of educational  
27 programs for children in residential treatment centers, intensive residential treatment centers,  
28 or licensed group care centers.

29 Was read the second time.

1 The question being "Shall SB 158 pass?"

2 And the roll being called:

3 Yeas 67, Nays 1, Excused 2, Absent 0

4 Yeas:

5 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
6 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;  
7 Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);  
8 Johns; Kaiser; Killer; Kirschman; Lust; Magstadt; May; Mickelson; Miller; Munsterman;  
9 Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;  
10 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly;  
11 Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink;  
12 Wismer; Speaker Gosch

13 Nays:

14 Latterell

15 Excused:

16 Carson; Kopp

17 So the bill having received an affirmative vote of a majority of the members-elect, the  
18 Speaker declared the bill passed and the title was agreed to.

19 Rep. Gibson moved that the House do now reconsider the vote by which SB 216 lost.

20 The question being on Rep. Gibson's motion to reconsider the vote by which SB 216 lost.

21 And the roll being called:

22 Yeas 38, Nays 30, Excused 2, Absent 0

23 Yeas:

24 Bartling; Cammack; Craig; Cronin; Duvall; Ecklund; Feickert; Feinstein; Gibson; Hajek;  
25 Hawks; Hawley; Heinert; Hickey; Hunhoff (Bernie); Johns; Killer; Kirschman; Lust; Magstadt;  
26 Munsterman; Nelson; Otten (Herman); Parsley; Peterson; Rasmussen; Ring; Romkema; Rozum;  
27 Schoenfish; Schrempp; Sly; Soli; Steele; Stevens; Tyler; Werner; Wismer

28 Nays:

29 Bolin; Campbell; Conzet; Dryden; Erickson; Greenfield; Haggar (Don); Haggar (Jenna);  
30 Hansen; Heinemann (Leslie); Hoffman; Kaiser; Latterell; May; Mickelson; Miller; Novstrup  
31 (David); Olson (Betty); Qualm; Rounds; Russell; Schaefer; Solum; Stalzer; Tulson; Verchio;  
32 Westra; Wick; Wink; Speaker Gosch

1       Excused:  
2       Carson; Kopp

3       So the motion having received an affirmative vote of a majority of the members-elect, the  
4       Speaker declared the motion carried and SB 216 was up for reconsideration and final passage.

5       SB 216: FOR AN ACT ENTITLED, An Act to establish a state-wide driver education  
6       program and make an appropriation therefor.

7       Having had its second reading was up for reconsideration and final passage.

8 216rb

9       Rep. Wismer moved that SB 216 be amended as follows:

10       On page 1, line 11, of the House Transportation Committee engrossed bill, after  
11       "curriculum" insert ", testing methodology for students,".

12       On page 2, delete lines 5 to 11, inclusive.

13       A roll call vote was requested and supported.

14       The question being on Rep. Wismer's motion that SB 216 be amended.

15       And the roll being called:

16       Yeas 34, Nays 34, Excused 2, Absent 0

17       Yeas:  
18       Bartling; Cammack; Cronin; Duvall; Feickert; Feinstein; Gibson; Hajek; Hawks; Hawley;  
19       Heinert; Hickey; Hunhoff (Bernie); Johns; Killer; Kirschman; Lust; Magstadt; Munsterman;  
20       Otten (Herman); Parsley; Peterson; Rasmussen; Ring; Romkema; Rozum; Schoenfish;  
21       Schrempp; Sly; Soli; Stevens; Tyler; Werner; Wismer

22       Nays:  
23       Bolin; Campbell; Conzet; Craig; Dryden; Ecklund; Erickson; Greenfield; Haggar (Don); Haggar  
24       (Jenna); Hansen; Heinemann (Leslie); Hoffman; Kaiser; Latterell; May; Mickelson; Miller;  
25       Nelson; Novstrup (David); Olson (Betty); Qualm; Rounds; Russell; Schaefer; Solum; Stalzer;  
26       Steele; Tulson; Verchio; Westra; Wick; Wink; Speaker Gosch

27       Excused:  
28       Carson; Kopp

1        So the motion not having received an affirmative vote of a majority of the members  
2 present, the Speaker declared the motion lost.

3        The question being "Shall SB 216 pass as amended?"

4        And the roll being called:

5        Yeas 36, Nays 32, Excused 2, Absent 0

6        Yeas:

7 Bartling; Cammack; Conzet; Cronin; Dryden; Duvall; Feickert; Feinstein; Gibson; Hajek;  
8 Hawks; Hawley; Heinert; Hickey; Hunhoff (Bernie); Johns; Killer; Kirschman; Lust; Magstadt;  
9 Munsterman; Otten (Herman); Parsley; Peterson; Rasmussen; Ring; Romkema; Rozum;  
10 Schoenfish; Schrempp; Sly; Soli; Stevens; Tyler; Werner; Wismer

11       Nays:

12 Bolin; Campbell; Craig; Ecklund; Erickson; Greenfield; Haggar (Don); Haggar (Jenna); Hansen;  
13 Heinemann (Leslie); Hoffman; Kaiser; Latterell; May; Mickelson; Miller; Nelson; Novstrup  
14 (David); Olson (Betty); Qualm; Rounds; Russell; Schaefer; Solum; Stalzer; Steele; Tulson;  
15 Verchio; Westra; Wick; Wink; Speaker Gosch

16       Excused:

17 Carson; Kopp

18       So the bill not having received an affirmative vote of a two-thirds majority of the members-  
19 elect, the Speaker declared the bill lost.

20       Rep. Lust moved that the balance of the calendar including SB 10, 11, 111, 17, 31, 194,  
21 223, 200, and 55 be deferred to Tuesday, March 5, the 34<sup>th</sup> legislative day.

22       Which motion prevailed.

23       There being no objection, the House reverted to Order of Business No. 4.



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1 Also MR. SPEAKER:

2 The Committee on Appropriations respectfully reports that it has had under consideration  
3 SB 76 and returns the same with the recommendation that said bill be amended as follows:

4 76ma

5 On the Senate Appropriations Committee engrossed bill, delete everything after the  
6 enacting clause and insert:

7 " Section 1. That section 6 of chapter 41 of the 2012 Session Laws be amended to read  
8 as follows:

9 Section 6. ~~The funds in section 7 of this Act which are unspent at the end of fiscal year 2012~~  
10 ~~may be carried over to the next fiscal year~~ provisions of § 4-8-19 do not apply to the funds in  
11 section 7 of this Act.

12 Section 2. Whereas, this Act is necessary for the support of the state government and its  
13 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in  
14 full force and effect from and after its passage and approval."

15 76mta

16 On page 1, line 1, of the Senate Appropriations Committee engrossed bill, delete  
17 everything after "Act to" and insert "revise certain reversion provisions relating to funding in  
18 the Governor's Office of Economic Development for the purpose of enhancing military value  
19 of Ellsworth Air Force Base, and to declare an emergency."

20 On page 1, delete line 2.

21 And that as so amended said bill do pass.

22 Also MR. SPEAKER:

23 The Committee on Appropriations respectfully reports that it has had under consideration  
24 SB 90 and returns the same with the recommendation that said bill be amended as follows:

25 90mb

26 On the printed bill, delete everything after the enacting clause and insert:

27 " Section 1. That section 2 of chapter 30 of the 2012 Session Laws be amended to read  
28 as follows:

## DEPARTMENT OF EXECUTIVE MANAGEMENT

## (1) Office of the Governor

Personal Services, General Funds, delete "\$1,698,260" and insert "\$1,712,839"

Personal Services, Federal Funds, delete "\$236,604" and insert "\$242,444"

Operating Expenses, General Funds, delete "\$380,188" and insert "\$397,917"

Adjust all totals accordingly.

Section 2. That section 2 of chapter 30 of the 2012 Session Laws be amended to read as follows:

## DEPARTMENT OF EXECUTIVE MANAGEMENT

## (3) Governor's Office of Economic Development

Personal Services, General Funds, delete "\$1,527,617" and insert "\$1,544,706"

Personal Services, Federal Funds, delete "\$481,408" and insert "\$497,404"

Personal Services, Other Funds, delete "\$484,811" and insert "\$523,645"

Operating Expenses, General Funds, delete "\$833,271" and insert "\$842,052"

Operating Expenses, Federal Funds, delete "\$11,159,355" and insert "\$11,159,722"

Operating Expenses, Other Funds, delete "\$15,970,056" and insert "\$19,571,949"

Adjust all totals accordingly.

Section 3. That section 2 of chapter 30 of the 2012 Session Laws be amended to read as follows:

## DEPARTMENT OF EXECUTIVE MANAGEMENT

## (4) Office of Research Commerce

Personal Services, General Funds, delete "\$161,265" and insert "\$162,593"

Adjust all totals accordingly.

Section 4. That section 2 of chapter 30 of the 2012 Session Laws be amended to read as follows:

## DEPARTMENT OF EXECUTIVE MANAGEMENT

## (10) Bureau of Finance and Management (BFM)

Personal Services, General Funds, delete "\$565,850" and insert "\$575,734"

Personal Services, Other Funds, delete "\$1,719,059" and insert "\$1,747,969"

Operating Expenses, General Funds, delete "\$246,030" and insert "\$247,679"

Operating Expenses, Other Funds, delete "\$2,125,253" and insert "\$2,140,181"

Adjust all totals accordingly.

Section 5. That section 2 of chapter 30 of the 2012 Session Laws be amended by adding thereto a NEW SECTION to read as follows:

## DEPARTMENT OF EXECUTIVE MANAGEMENT

## (10A) Non recurring Provider Allocation Pool

Personal Services	0	0	0	0
Operating Expenses	\$5,000,000	\$6,605,526	\$11,609	\$11,617,135
Total	\$5,000,000	\$6,605,526	\$11,609	\$11,617,135



1           Operating Expenses, General Funds, delete "\$66,438" and insert "\$71,004"  
2   Adjust all totals accordingly.

3           Section 11. That section 2 of chapter 30 of the 2012 Session Laws be amended to read as  
4   follows:

5   DEPARTMENT OF EXECUTIVE MANAGEMENT

6       (24) PEPL Fund Administration--Informational

7           Personal Services, Other Funds, delete "\$356,191" and insert "\$363,789"

8           Operating Expenses, Other Funds, delete "\$1,826,319" and insert "\$1,828,406"

9   Adjust all totals accordingly.

10          Section 12. That section 2 of chapter 30 of the 2012 Session Laws be amended to read as  
11   follows:

12   DEPARTMENT OF EXECUTIVE MANAGEMENT

13       (26) Data Centers, Bureau of Information and Telecommunications (BIT)

14           Personal Services, Other Funds, delete "\$3,955,162" and insert "\$4,045,717"

15           Operating Expenses, Other Funds, delete "\$4,147,643" and insert "\$4,177,926"

16   Adjust all totals accordingly.

17          Section 13. That section 2 of chapter 30 of the 2012 Session Laws be amended to read as  
18   follows:

19   DEPARTMENT OF EXECUTIVE MANAGEMENT

20       (27) Development

21           Personal Services, Other Funds, delete "\$9,014,337" and insert "\$9,216,009"

22           Operating Expenses, Federal Funds, delete "\$119,190" and insert "\$120,552"

23           Operating Expenses, Other Funds, delete "\$1,451,951" and insert "\$1,479,988"

24   Adjust all totals accordingly.

25          Section 14. That section 2 of chapter 30 of the 2012 Session Laws be amended to read as  
26   follows:

27   DEPARTMENT OF EXECUTIVE MANAGEMENT

28       (28) Telecommunications Services

29           Personal Services, Other Funds, delete "\$5,749,059" and insert "\$5,904,471"

30           Operating Expenses, Federal Funds, delete "\$1,701,329" and insert "\$1,704,674"

31           Operating Expenses, Other Funds, delete "\$9,292,699" and insert "\$9,321,979"

32   Adjust all totals accordingly.

33          Section 15. That section 2 of chapter 30 of the 2012 Session Laws be amended to read as  
34   follows:

35   DEPARTMENT OF EXECUTIVE MANAGEMENT

36       (29) South Dakota Public Broadcasting

37           Personal Services, General Funds, delete "\$2,365,180" and insert "\$2,424,680"

1           Operating Expenses, General Funds, delete "\$1,216,994" and insert "\$1,219,952"  
2           Operating Expenses, Other Funds, delete "\$1,785,412" and insert "\$1,790,236"  
3   Adjust all totals accordingly.

4       Section 16. That section 2 of chapter 30 of the 2012 Session Laws be amended to read as  
5 follows:

6   DEPARTMENT OF EXECUTIVE MANAGEMENT

7       (30) BIT Administration

8           Personal Services, Other Funds, delete "\$738,469" and insert "\$753,161"

9           Operating Expenses, Other Funds, delete "\$106,565" and insert "\$110,391"

10   Adjust all totals accordingly.

11       Section 17. That section 2 of chapter 30 of the 2012 Session Laws be amended to read as  
12 follows:

13   DEPARTMENT OF EXECUTIVE MANAGEMENT

14       (31) State Radio Engineering

15           Personal Services, General Funds, delete "\$591,961" and insert "\$602,188"

16           Operating Expenses, General Funds, delete "\$2,128,987" and insert "\$2,134,443"

17           Operating Expenses, Other Funds, delete "\$692,740" and insert "\$711,639"

18   Adjust all totals accordingly.

19       Section 18. That section 2 of chapter 30 of the 2012 Session Laws be amended to read as  
20 follows:

21   DEPARTMENT OF EXECUTIVE MANAGEMENT

22       (32) Personnel Management and Employee Benefits (BOP)

23           Personal Services, General Funds, delete "\$184,494" and insert "\$190,189"

24           Personal Services, Other Funds, delete "\$3,652,746" and insert "\$3,754,568"

25           Operating Expenses, General Funds, delete "\$55,394" and insert "\$58,801"

26           Operating Expenses, Other Funds, delete "\$1,735,894" and insert "\$1,815,478"

27   Adjust all totals accordingly.

28       Section 19. That section 2 of chapter 30 of the 2012 Session Laws be amended to read as  
29 follows:

30   DEPARTMENT OF EXECUTIVE MANAGEMENT

31       (33) South Dakota Risk Pool

32           Personal Services, General Funds, delete "\$81,938" and insert "\$83,635"

33           Personal Services, Other Funds, delete "\$39,375" and insert "\$39,978"

34           Operating Expenses, Federal Funds, delete "\$500,671" and insert "\$500,875"

35           Operating Expenses, Other Funds, delete "\$8,115,981" and insert "\$8,116,532"

36   Adjust all totals accordingly.

1 Section 20. That section 3 of chapter 30 of the 2012 Session Laws be amended to read as  
2 follows:

3 DEPARTMENT OF REVENUE

4 (1) Administration, Secretary of Revenue

5 Personal Services, Other Funds, delete "\$2,281,202" and insert "\$2,342,216"

6 Operating Expenses, Other Funds, delete "\$1,364,968" and insert "\$1,510,564"

7 Adjust all totals accordingly.

8 Section 21. That section 3 of chapter 30 of the 2012 Session Laws be amended to read as  
9 follows:

10 DEPARTMENT OF REVENUE

11 (2) Business Tax

12 Personal Services, Other Funds, delete "\$2,518,587" and insert "\$2,592,718"

13 Adjust all totals accordingly.

14 Section 22. That section 3 of chapter 30 of the 2012 Session Laws be amended to read as  
15 follows:

16 DEPARTMENT OF REVENUE

17 (3) Motor Vehicles

18 Personal Services, Other Funds, delete "\$2,010,150" and insert "\$2,080,633"

19 Operating Expenses, Other Funds, delete "\$3,255,891" and insert "\$3,359,016"

20 Adjust all totals accordingly.

21 Section 23. That section 3 of chapter 30 of the 2012 Session Laws be amended to read as  
22 follows:

23 DEPARTMENT OF REVENUE

24 (4) Property and Special Taxes

25 Personal Services, General Funds, delete "\$812,702" and insert "\$836,053"

26 Operating Expenses, General Funds, delete "\$253,872" and insert "\$259,680"

27 Adjust all totals accordingly.

28 Section 24. That section 3 of chapter 30 of the 2012 Session Laws be amended to read as  
29 follows:

30 DEPARTMENT OF REVENUE

31 (5) Audits

32 Personal Services, Other Funds, delete "\$3,309,694" and insert "\$3,394,650"

33 Adjust all totals accordingly.

34 Section 25. That section 3 of chapter 30 of the 2012 Session Laws be amended to read as  
35 follows:

1 DEPARTMENT OF REVENUE

2 (6) Instant and On-line Operation-- Informational  
3 Personal Services, Other Funds, delete "\$1,215,562" and insert "\$1,246,685"  
4 Adjust all totals accordingly.

5 Section 26. That section 3 of chapter 30 of the 2012 Session Laws be amended to read as  
6 follows:

7 DEPARTMENT OF REVENUE

8 (7) Video Lottery  
9 Personal Services, Other Funds, delete "\$513,090" and insert "\$527,684"  
10 Adjust all totals accordingly.

11 Section 27. That section 3 of chapter 30 of the 2012 Session Laws be amended to read as  
12 follows:

13 DEPARTMENT OF REVENUE

14 (8) Commission on Gaming--Informational  
15 Personal Services, Other Funds, delete "\$896,401" and insert "\$921,116"  
16 Adjust all totals accordingly.

17 Section 28. That section 4 of chapter 30 of the 2012 Session Laws be amended to read as  
18 follows:

19 DEPARTMENT OF AGRICULTURE

20 (1) Administration, Secretary of Agriculture  
21 Personal Services, General Funds, delete "\$592,654" and insert "602,941"  
22 Personal Services, Federal Funds, delete "\$38,149" and insert "38,310"  
23 Personal Services, Other Funds, delete "\$68,493" and insert "70,447"  
24 Operating Expenses, General Funds, delete "\$173,316" and insert "\$175,412"  
25 Adjust all totals accordingly.

26 Section 29. That section 4 of chapter 30 of the 2012 Session Laws be amended to read as  
27 follows:

28 DEPARTMENT OF AGRICULTURE

29 (2) Agricultural Services and Assistance  
30 Personal Services, General Funds, delete "\$1,173,103" and insert "\$1,200,550"  
31 Personal Services, Federal Funds, delete "\$1,657,579" and insert "\$1,695,512"  
32 Personal Services, Other Funds, delete "\$999,212" and insert "\$1,023,990"  
33 Operating Expenses, General Funds, delete "\$522,085" and insert "\$526,277"  
34 Operating Expenses, Federal Funds, delete "\$2,385,227" and insert "\$2,387,778"  
35 Operating Expenses, Other Funds, delete "\$1,959,778" and insert "\$1,962,838"  
36 Adjust all totals accordingly.



Section 30. That section 4 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF AGRICULTURE

(3) Agricultural Development and Promotion

Personal Services, General Funds, delete "\$778,613" and insert "\$798,024"

Personal Services, Federal Funds, delete "\$410,540" and insert "\$421,765"

Personal Services, Other Funds, delete "\$444,837" and insert "\$458,757"

Operating Expenses, General Funds, delete "\$319,176" and insert "\$320,506"

Operating Expenses, Federal Funds, delete "\$1,235,285" and insert "\$1,235,906"

Operating Expenses, Other Funds, delete "\$897,737" and insert "\$901,328"

Adjust all totals accordingly.

Section 31. That section 4 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF AGRICULTURE

(4) Animal Industry Board

Personal Services, General Funds, delete "\$1,515,340" and insert "\$1,554,693"

Personal Services, Federal Funds, delete "\$943,244" and insert "\$966,546"

Operating Expenses, General Funds, delete "\$297,699" and insert "\$298,307"

Operating Expenses, Federal Funds, delete "\$820,158" and insert "\$820,425"

Adjust all totals accordingly.

Section 32. That section 4 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF AGRICULTURE

(6) Wheat Commission--Informational

Personal Services, Other Funds, delete "\$215,451" and insert "\$221,352"

Adjust all totals accordingly.

Section 33. That section 4 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF AGRICULTURE

(8) Soybean Research and Promotion Council--Informational

Personal Services, Other Funds, delete "\$328,011" and insert "\$336,574"

Adjust all totals accordingly.

Section 34. That section 4 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF AGRICULTURE

(9) Brand Board--Informational

Personal Services, Other Funds, delete "\$1,305,542" and insert "\$1,342,331"

Adjust all totals accordingly.

Section 35. That section 4 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF AGRICULTURE

(10) Corn Utilization Council--Informational

Personal Services, Other Funds, delete "\$132,177" and insert "\$134,554"

Adjust all totals accordingly.

Section 36. That section 4 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF AGRICULTURE

(13) State Fair

Personal Services, Other Funds, delete "\$750,307" and insert "\$759,806"

Operating Expenses, General Funds, delete "\$268,644" and insert "\$268,778"

Operating Expenses, Other Funds, delete "\$1,537,576" and insert "\$1,538,255"

Adjust all totals accordingly.

Section 37. That section 5 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF TOURISM

(1) Tourism

Personal Services, Other Funds, delete "\$1,458,351" and insert "\$1,501,095"

Operating Expenses, Other Funds, delete "\$10,534,422" and insert "\$10,545,777"

Adjust all totals accordingly.

Section 38. That section 5 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF TOURISM

(2) Arts

Personal Services, Other Funds, delete "\$219,306" and insert "\$224,597"

Adjust all totals accordingly.

Section 39. That section 5 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF TOURISM

(3) History

Personal Services, General Funds, delete "\$819,361" and insert "\$842,722"

Personal Services, Federal Funds, delete "\$343,381" and insert "\$353,170"

Personal Services, Other Funds, delete "\$1,124,888" and insert "\$1,156,748"

Operating Expenses, General Funds, delete "\$912,280" and insert "\$985,729"

Operating Expenses, Federal Funds, delete "\$536,163" and insert "\$540,227"

Operating Expenses, Other Funds, delete "\$1,488,044" and insert "\$1,491,800"

Adjust all totals accordingly.

Section 40. That section 6 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF GAME, FISH AND PARKS

(1) Administration, Secretary of Game, Fish, and Parks

Personal Services, General Funds, delete "\$89,882" and insert "\$104,505"

Personal Services, Other Funds, delete "\$1,647,917" and insert "\$1,685,359"

Operating Expenses, Other Funds, delete "\$1,521,650" and insert "\$1,548,259"

Adjust all totals accordingly.

Section 41. That section 6 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF GAME, FISH AND PARKS

(2) Wildlife--Informational

Personal Services, Federal Funds, delete "\$3,364,306" and insert "\$3,459,277"

Personal Services, Other Funds, delete "\$12,088,922" and insert "\$12,378,822"

Operating Expenses, Other Funds, delete "\$14,356,264" and insert "\$14,467,306"

Adjust all totals accordingly.

Section 42. That section 6 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF GAME, FISH AND PARKS

(4) State Parks and Recreation

Personal Services, General Funds, delete "\$2,270,245" and insert "\$2,316,106"

Personal Services, Federal Funds, delete "\$801,629" and insert "\$813,051"

Personal Services, Other Funds, delete "\$5,897,979" and insert "\$6,076,195"

Operating Expenses, Federal Funds, delete "\$2,219,196" and insert "\$2,220,038"

Operating Expenses, Other Funds, delete "\$6,651,409" and insert "\$6,661,037"

Adjust all totals accordingly.

Section 43. That section 6 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF GAME, FISH AND PARKS

(6) Snowmobile Trails--Informational

Personal Services, Other Funds, delete "\$347,263" and insert "\$351,615"

Operating Expenses, Other Funds, delete "\$1,032,527" and insert "\$1,032,799"

Adjust all totals accordingly.

Section 44. That section 7 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF TRIBAL RELATIONS

(1) Office of Tribal Relations

Personal Services, General Funds, delete "\$311,320" and insert "\$317,780"

1           Operating Expenses, General Funds, delete "\$51,555" and insert "\$51,711"  
2   Adjust all totals accordingly.

3           Section 45. That section 8 of chapter 30 of the 2012 Session Laws be amended to read as  
4   follows:

5   DEPARTMENT OF SOCIAL SERVICES

6       (1) Administration, Secretary of Social Services

7           Personal services, General Funds, delete "\$3,750,207" and insert "\$3,871,854"

8           Personal services, Federal Funds, delete "\$4,898,325" and insert "5,057,467"

9           Operating expenses, General Funds, delete "\$3,927,727" and insert "\$4,220,142"

10          Operating expenses, Federal Funds, delete "\$14,844,310" and insert "\$15,719,680"

11   Adjust all totals accordingly.

12          Section 46. That section 8 of chapter 30 of the 2012 Session Laws be amended to read as  
13   follows:

14   DEPARTMENT OF SOCIAL SERVICES

15       (2) Economic Assistance

16           Personal services, General Funds, delete "\$6,865,063: and insert \$7,091,625"

17           Personal services, Federal Funds, delete "\$9,685,296" and insert "\$9,961,420"

18           Operating expenses, General Funds, delete "\$14,312,745" and insert "\$14,319,817"

19           Operating expenses, Federal Funds, delete "\$49,596,743" and insert "\$49,600,552"

20   Adjust all totals accordingly.

21          Section 47. That section 8 of chapter 30 of the 2012 Session Laws be amended to read as  
22   follows:

23   DEPARTMENT OF SOCIAL SERVICES

24       (3) Medical and Adult Services

25           Personal services, General Funds, delete "\$2,662,274" and insert "\$2,728,590"

26           Personal services, Federal Funds, delete "\$5,558,554" and insert "\$5,712,083"

27           Personal services, Other Funds, delete "\$146,487" and insert "\$148,805"

28           Operating expenses, General Funds, delete "\$261,850,546" and insert "\$255,827,792"

29           Operating expenses, Federal Funds, delete "472,415,595" and insert "\$464,588,889"

30           Operating expenses, Other Funds, delete "\$1,623,351" and insert "\$1,623,737"

31   Adjust all totals accordingly.

32          Section 48. That section 8 of chapter 30 of the 2012 Session Laws be amended to read as  
33   follows:

34   DEPARTMENT OF SOCIAL SERVICES

35       (4) Children's Services

36           Personal services, General Funds, delete "\$9,119,236" and insert "\$9,336,116"

37           Personal services, Federal Funds, delete "\$8,541,699" and insert "\$8,827,273"

38           Personal services, Other Funds, delete "\$1,467,830" and insert "\$1,483,863"

39           Operating expenses, General Funds, delete "\$25,787,564" and insert "\$25,793,693"

1           Operating expenses, Federal Funds, delete "\$41,590,499" and insert "\$41,599,723"  
2           Operating expenses, Other Funds, delete "2,979,438" and insert "\$2,979,824"  
3   Adjust all totals accordingly.

4       Section 49. That section 8 of chapter 30 of the 2012 Session Laws be amended to read as  
5 follows:

6   DEPARTMENT OF SOCIAL SERVICES

7       (5) Behavioral Health

8           Personal services, General Funds, delete "\$24,794,471" and insert "\$25,555,193"  
9           Personal services, Federal Funds, delete "\$9,419,261" and insert "\$9,671,367"  
10          Personal services, Other Funds, delete "\$1,282,638" and insert "\$1,399,139"  
11          Operating expenses, General Funds, delete "\$34,254,744" and insert "\$34,302,899"  
12          Operating expenses, Federal Funds, delete "\$27,738,841" and insert "\$27,748,255"  
13          Operating expenses, Other Funds, delete "\$1,359,720" and insert "\$1,360,578"  
14   Adjust all totals accordingly.

15       Section 50. That section 8 of chapter 30 of the 2012 Session Laws be amended to read as  
16 follows:

17   DEPARTMENT OF SOCIAL SERVICES

18       (9) Certification Board for Alcohol and Drug Professionals -- Informational

19          Personal services, Other Funds, delete "\$88,008" and insert "\$90,560"  
20   Adjust all totals accordingly.

21       Section 51. That section 9 of chapter 30 of the 2012 Session Laws be amended to read as  
22 follows:

23   DEPARTMENT OF HEALTH

24       (1) Administration, Secretary of Health

25          Personal Services, General Funds, delete "\$623,320" and insert "\$638,534"  
26          Personal Services, Federal Funds, delete "\$893,926" and insert "\$918,162"  
27          Personal Services, Other Funds, delete "\$515,657" and insert "\$519,387"  
28          Operating Expenses, General Funds, delete "\$516,799" and insert "\$519,974"  
29          Operating Expenses, Federal Funds, delete "\$5,263,327" and insert "\$5,265,628"  
30          Operating Expenses, Other Funds, delete "\$1,192,261" and insert "\$1,196,386"  
31   Adjust all totals accordingly.

32       Section 52. That section 9 of chapter 30 of the 2012 Session Laws be amended to read as  
33 follows:

34   DEPARTMENT OF HEALTH

35       (2) Health Systems Development and Regulation

36          Personal Services, General Funds, delete "\$1,409,131" and insert "\$1,442,502"  
37          Personal Services, Federal Funds, delete "\$2,972,097" and insert "\$3,037,003"  
38          Operating Expenses, General Funds, delete "\$863,836" and insert "\$869,193"  
39          Operating Expenses, Federal Funds, delete "\$8,175,573" and insert "\$8,184,363"

1 Adjust all totals accordingly.

2 Section 53. That section 9 of chapter 30 of the 2012 Session Laws be amended to read as  
3 follows:

4 DEPARTMENT OF HEALTH

5 (3) Health and Medical Services

6 Personal Services, General Funds, delete "\$1,666,049" and insert "\$1,712,115"

7 Personal Services, Federal Funds, delete "\$8,577,457" and insert "\$8,811,001"

8 Personal Services, Other Funds, delete "\$1,146,908" and insert "\$1,223,293"

9 Operating Expenses, General Funds, delete "\$2,102,430" and insert "\$2,105,744"

10 Operating Expenses, Federal Funds, delete "\$14,199,365" and insert "\$14,217,264"

11 Operating Expenses, Other Funds, delete "\$2,464,843" and insert "\$2,468,040"

12 Adjust all totals accordingly.

13 Section 54. That section 9 of chapter 30 of the 2012 Session Laws be amended to read as  
14 follows:

15 DEPARTMENT OF HEALTH

16 (4) Laboratory Services

17 Personal Services, Federal Funds, delete "\$408,634" and insert "\$416,761"

18 Personal Services, Other Funds, delete "\$1,376,403" and insert "\$1,393,412"

19 Operating Expenses, Federal Funds, delete "\$2,678,382" and insert "\$2,685,497"

20 Operating Expenses, Other Funds, delete "\$1,851,090" and insert "\$1,872,160"

21 Adjust all totals accordingly.

22 Section 55. That section 9 of chapter 30 of the 2012 Session Laws be amended to read as  
23 follows:

24 DEPARTMENT OF HEALTH

25 (5) Correctional Health

26 Personal Services, Other Funds, delete "\$5,704,633" and insert "\$5,853,213"

27 F.T.E., delete "81.0" and insert "84.0"

28 Adjust all totals accordingly.

29 Section 56. That section 9 of chapter 30 of the 2012 Session Laws be amended to read as  
30 follows:

31 DEPARTMENT OF HEALTH

32 (6) Tobacco Prevention

33 Personal Services, Federal Funds, delete "\$221,934" and insert "\$226,643"

34 Operating Expenses, Federal Funds, delete "\$1,350,377" and insert "\$1,351,328"

35 Adjust all totals accordingly.

1 Section 57. That section 9 of chapter 30 of the 2012 Session Laws be amended to read as  
2 follows:

3 DEPARTMENT OF HEALTH

4 (7) Board of Chiropractic Examiners--Informational  
5 Personal Services, Other Funds, delete "\$53,866" and insert "\$54,579"  
6 Adjust all totals accordingly.

7 Section 58. That section 9 of chapter 30 of the 2012 Session Laws be amended to read as  
8 follows:

9 DEPARTMENT OF HEALTH

10 (11) Board of Medical and Osteopathic Examiners--Informational  
11 Personal Services, Other Funds, delete "\$353,369" and insert "\$358,366"  
12 Adjust all totals accordingly.

13 Section 59. That section 9 of chapter 30 of the 2012 Session Laws be amended to read as  
14 follows:

15 DEPARTMENT OF HEALTH

16 (12) Board of Nursing--Informational  
17 Personal Services, Other Funds, delete "\$502,279" and insert "\$508,325"  
18 Operating Expenses, Other Funds, delete "\$552,453" and insert "\$553,937"  
19 Adjust all totals accordingly.

20 Section 60. That section 9 of chapter 30 of the 2012 Session Laws be amended to read as  
21 follows:

22 DEPARTMENT OF HEALTH

23 (15) Board of Pharmacy--Informational  
24 Personal Services, Other Funds, delete "\$377,011" and insert "\$380,580"  
25 Adjust all totals accordingly.

26 Section 61. That section 10 of chapter 30 of the 2012 Session Laws be amended to read as  
27 follows:

28 DEPARTMENT OF LABOR AND REGULATION

29 (1) Administration, Secretary of Labor  
30 Personal Services, Federal Funds, delete "\$2,840,379" and insert "\$2,921,357"  
31 Personal Services, Other Funds, delete "\$101,311" and insert "\$104,784"  
32 Operating Expenses, Federal Funds, delete "\$15,988,435" and insert "\$16,298,607"  
33 Operating Expenses, Other Funds, delete "\$35,465" and insert "\$35,795"  
34 Adjust all totals accordingly.

Section 62. That section 10 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF LABOR AND REGULATION

(2) Unemployment Insurance Services

Personal Services, Federal Funds, delete "\$4,457,858" and insert "\$4,595,011"

Adjust all totals accordingly.

Section 63. That section 10 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF LABOR AND REGULATION

(3) Employment Services

Personal Services, Federal Funds, delete "\$9,141,885" and insert "\$9,415,395"

Operating Expenses, Federal Funds, delete "\$1,543,674" and insert "\$1,555,589"

Adjust all totals accordingly.

Section 64. That section 10 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF LABOR AND REGULATION

(4) State Labor Law Administration

Personal Services, General Funds, delete "\$525,212" and insert "\$540,828"

Personal Services, Federal Funds, delete "\$341,645" and insert "\$348,964"

Personal Services, Other Funds, delete "\$210,354" and insert "\$220,860"

Operating Expenses, General Funds, delete "\$88,054" and insert "\$91,074"

Operating Expenses, Federal Funds, delete "\$71,162" and insert "\$73,048"

Operating Expenses, Other Funds, delete "\$231,579" and insert "\$238,830"

Adjust all totals accordingly.

Section 65. That section 10 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF LABOR AND REGULATION

(5) Board of Accountancy--Informational

Personal Services, Other Funds, delete "\$122,463" and insert "\$127,716"

Operating Expenses, Other Funds, delete "\$111,133" and insert "\$112,407"

Adjust all totals accordingly.

Section 66. That section 10 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF LABOR AND REGULATION

(7) Cosmetology Commission--Informational

Personal Services, Other Funds, delete "\$137,789" and insert "\$141,291"

Operating Expenses, Other Funds, delete "\$95,626" and insert "\$96,004"

Adjust all totals accordingly.



Section 67. That section 10 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF LABOR AND REGULATION

(8) Plumbing Commission--Informational

Personal Services, Other Funds, delete "\$338,375" and insert "\$350,632"

Operating Expenses, Other Funds, delete "\$199,415" and insert "\$200,564"

Adjust all totals accordingly.

Section 68. That section 10 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF LABOR AND REGULATION

(9) Board of Technical Professions--Informational

Personal Services, Other Funds, delete "\$157,129" and insert "\$162,382"

Operating Expenses, Other Funds, delete "\$180,883" and insert "\$182,346"

Adjust all totals accordingly.

Section 69. That section 10 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF LABOR AND REGULATION

(10) Electrical Commission--Informational

Personal Services, Other Funds, delete "\$1,035,772" and insert "\$1,063,790"

Operating Expenses, Other Funds, delete "\$472,003" and insert "\$480,923"

Adjust all totals accordingly.

Section 70. That section 10 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF LABOR AND REGULATION

(11) Real Estate Commission--Informational

Personal Services, Other Funds, delete "\$297,500" and insert "\$306,163"

Operating Expenses, Other Funds, delete "\$228,719" and insert "\$229,681"

Adjust all totals accordingly.

Section 71. That section 10 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF LABOR AND REGULATION

(13) Banking

Personal Services, Other Funds, delete "\$1,491,560" and insert "\$1,531,036"

Operating Expenses, Other Funds, delete "\$489,577" and insert "\$493,195"

Adjust all totals accordingly.

Section 72. That section 10 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF LABOR AND REGULATION

(14) Securities

Personal Services, Other Funds, delete "\$354,912" and insert "\$363,575"

Operating Expenses, Other Funds, delete "\$64,514" and insert "\$66,108"

Adjust all totals accordingly.

Section 73. That section 10 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF LABOR AND REGULATION

(15) Insurance

Personal Services, Other Funds, delete "\$1,500,238" and insert "\$1,547,560"

Operating Expenses, Federal Funds, delete "\$585,198" and insert "\$585,248"

Operating Expenses, Other Funds, delete "\$275,267" and insert "\$282,419"

Adjust all totals accordingly.

Section 74. That section 10 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF LABOR AND REGULATION

(16) South Dakota Retirement System

Personal Services, Other Funds, delete "\$1,986,141" and insert "\$2,043,682"

Operating Expenses, Other Funds, delete "\$1,584,926" and insert "\$1,616,155"

Adjust all totals accordingly.

Section 75. That section 11 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF TRANSPORTATION

(1) General Operations

Personal Services, General Funds, delete "\$433,564" and insert "\$444,744"

Personal Services, Federal Funds, delete "\$9,954,191" and insert "\$10,211,115"

Personal Services, Other Funds, delete "\$49,794,531" and insert "\$51,049,325"

Operating Expenses, Other Funds, delete "\$81,363,502" and insert "\$81,694,196"

Adjust all totals accordingly.

Section 76. That section 12 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF EDUCATION

(1) Administration, Secretary of Education

Personal Services, General Funds, delete "\$1,101,123" and insert "\$1,129,922"

Personal Services, Federal Funds, delete "\$969,126" and insert "\$994,640"

Operating Expenses, General Funds, delete "\$433,565" and insert "\$678,055"

1 Operating Expenses, Federal Funds, delete "\$4,369,674" and insert "\$4,373,965"  
 2 Operating Expenses, Other Funds, delete "\$88,674" and insert "\$89,470"  
 3 Adjust all totals accordingly.

4 Section 77. That section 12 of chapter 30 of the 2012 Session Laws be amended to read as  
 5 follows:

6 DEPARTMENT OF EDUCATION

7 (2) State Aid to General Education

8 Operating Expenses, General Funds, delete "\$314,937,745" and insert "\$315,575,685"  
 9 Adjust all totals accordingly.

10 Section 78. That section 12 of chapter 30 of the 2012 Session Laws be amended by adding  
 11 thereto a NEW SECTION to read as follows:

12 DEPARTMENT OF EDUCATION

13 (2A) Nonrecurring State Aid to General Education Allocation

14 Personal Services	0	0	0	0
15 Operating Expenses	\$5,829,318	0	0	\$5,829,318
16 Total	\$5,829,318	0	0	\$5,829,318
17 FTE				0.0

18 The funding appropriated by this subsection shall be distributed on a one-time basis based on  
 19 FY2012 actual fall enrollment.

20 Adjust all totals accordingly.

21 Section 79. That section 12 of chapter 30 of the 2012 Session Laws be amended to read as  
 22 follows:

23 DEPARTMENT OF EDUCATION

24 (3) State Aid to Special Education

25 Operating Expenses, General Funds, delete "\$45,613,203" and insert "\$48,089,686"  
 26 Adjust all totals accordingly.

27 Section 80. That section 12 of chapter 30 of the 2012 Session Laws be amended to read as  
 28 follows:

29 DEPARTMENT OF EDUCATION

30 (4) Sparsity Payments

31 Operating Expenses, General Funds, delete "\$1,819,627" and insert "\$1,828,937"  
 32 Adjust all totals accordingly.

33 Section 81. That section 12 of chapter 30 of the 2012 Session Laws be amended to read as  
 34 follows:

35 DEPARTMENT OF EDUCATION

36 (8) Technology in Schools

37 Operating Expenses, General Funds, delete "\$6,199,615" and insert "\$6,212,692"

Operating Expenses, Other Funds, delete "\$1,800,000" and insert "\$1,804,876"  
Adjust all totals accordingly.

Section 82. That section 12 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF EDUCATION

(10) Postsecondary Vocational Education

Operating Expenses, General Funds, delete "\$21,396,857" and insert "\$20,839,213"  
Adjust all totals accordingly.

Section 83. That section 12 of chapter 30 of the 2012 Session Laws be amended by adding thereto a NEW SECTION to read as follows:

DEPARTMENT OF EDUCATION

(10A) Nonrecurring Postsecondary Vocational Education Allocation

Personal Services	0	0	0	0
Operating Expenses	\$200,000	0	0	\$200,000
Total	\$200,000	0	0	\$200,000
FTE				0.0

The funding appropriated by this subsection shall be distributed on a one-time basis based on FY2012 actual student F.T.E.  
Adjust all totals accordingly.

Section 84. That section 12 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF EDUCATION

(11) Education Resources

Personal Services, General Funds, delete "\$754,916" and insert "\$790,971"  
Personal Services, Federal Funds, delete "\$2,394,167" and insert "\$2,462,153"  
Personal Services, Other Funds, delete "\$217,151" and insert "\$223,147"  
Operating Expenses, General Funds, delete "\$4,787,583" and insert "\$5,543,190"  
Operating Expenses, Federal Funds, delete "\$161,605,431" and insert "\$161,621,851"  
Operating Expenses, Other Funds, delete "\$698,191" and insert "\$909,387"  
Adjust all totals accordingly.

Section 85. That section 12 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF EDUCATION

(13) State Library

Personal Services, General Funds, delete "\$1,103,341" and insert "\$1,138,849"  
Personal Services, Federal Funds, delete "\$323,803" and insert "\$337,104"  
Operating Expenses, General Funds, delete "\$564,108" and insert "\$588,306"  
Operating Expenses, Federal Funds, delete "\$876,842" and insert "\$880,059"  
Operating Expenses, Other Funds, delete "\$186,083" and insert "\$186,084"

1 Adjust all totals accordingly.

2 Section 86. That section 13 of chapter 30 of the 2012 Session Laws be amended to read as  
3 follows:

4 DEPARTMENT OF PUBLIC SAFETY

5 (1) Administration, Secretary of Public Safety

6 Personal Services, General Funds, delete "\$109,012" and insert "\$109,660"

7 Personal Services, Other Funds, delete "\$525,562" and insert "\$536,555"

8 Operating Expenses, General Funds, delete "\$13,280" and insert "\$13,303"

9 Operating Expenses, Other Funds, delete "\$126,325" and insert "\$128,286"

10 Adjust all totals accordingly.

11 Section 87. That section 13 of chapter 30 of the 2012 Session Laws be amended to read as  
12 follows:

13 DEPARTMENT OF PUBLIC SAFETY

14 (2) Highway Patrol

15 Personal Services, General Funds, delete "\$1,105,604" and insert "\$1,137,659"

16 Personal Services, Federal Funds, delete "\$833,385" and insert "\$851,357"

17 Personal Services, Other Funds, delete "\$15,150,303" and insert "\$15,516,513"

18 Operating Expenses, General Funds, delete "\$109,699" and insert "\$110,507"

19 Operating Expenses, Federal Funds, delete "\$4,638,864" and insert "\$4,641,780"

20 Operating Expenses, Other Funds, delete "\$4,962,254" and insert "\$4,972,437"

21 Adjust all totals accordingly.

22 Section 88. That section 13 of chapter 30 of the 2012 Session Laws be amended to read as  
23 follows:

24 DEPARTMENT OF PUBLIC SAFETY

25 (3) Emergency Services & Homeland Security

26 Personal Services, General Funds, delete "\$1,071,371" and insert "\$1,098,509"

27 Personal Services, Federal Funds, delete "\$1,225,149" and insert "\$1,264,417"

28 Personal Services, Other Funds, delete "\$86,579" and insert "\$88,043"

29 Operating Expenses, General Funds, delete "\$408,264" and insert "\$415,826"

30 Operating Expenses, Federal Funds, delete "\$14,398,628" and insert "\$14,415,947"

31 Operating Expenses, Other Funds, delete "\$213,509" and insert "\$213,747"

32 Adjust all totals accordingly.

33 Section 89. That section 13 of chapter 30 of the 2012 Session Laws be amended to read as  
34 follows:

35 DEPARTMENT OF PUBLIC SAFETY

36 (4) Inspection and Licensing

37 Personal Services, General Funds, delete "\$58,540" and insert "\$60,082"

38 Personal Services, Other Funds, delete "\$3,887,946" and insert "\$4,023,726"

39 Operating Expenses, General Funds, delete "\$507,180" and insert "\$507,364"

1           Operating Expenses, Federal Funds, delete "\$91,332" and insert "\$91,712"  
2           Operating Expenses, Other Funds, delete "\$2,885,135" and insert "\$3,102,026"  
3   Adjust all totals accordingly.

4           Section 90. That section 14 of chapter 30 of the 2012 Session Laws be amended to read as  
5   follows:

6   **BOARD OF REGENTS**

7       (1) Regents Central Office

8           Personal Services, General Funds, delete "\$3,624,219" and insert "\$3,665,996"  
9           Personal Services, Other Funds, delete "\$1,865,139" and insert "\$1,887,778"  
10          Operating Expenses, General Funds, delete "\$8,231,365" and insert "\$8,516,084"  
11          Operating Expenses, Other Funds, delete "\$36,877,628" and insert "\$38,967,298"  
12   Adjust all totals accordingly.

13          Section 91. That section 14 of chapter 30 of the 2012 Session Laws be amended to read as  
14   follows:

15   **BOARD OF REGENTS**

16       (4) University of South Dakota Proper

17           Personal Services, General Funds, delete "\$27,446,842" and insert "\$28,897,673"  
18           Personal Services, Federal Funds, delete "\$8,732,373" and insert "\$8,948,042"  
19           Personal Services, Other Funds, delete "\$38,474,379" and insert "\$38,944,432"  
20           Operating Expenses, Other Funds, delete "\$34,039,750" and insert "\$34,039,917"  
21   Adjust all totals accordingly.

22          Section 92. That section 14 of chapter 30 of the 2012 Session Laws be amended to read as  
23   follows:

24   **BOARD OF REGENTS**

25       (5) University of South Dakota School of Medicine

26           Personal Services, General Funds, delete "\$16,270,308" and insert "\$16,540,570"  
27           Personal Services, Federal Funds, delete "\$8,499,070" and insert "\$8,629,060"  
28           Personal Services, Other Funds, delete "\$9,949,992" and insert "\$10,058,924"  
29   Adjust all totals accordingly.

30          Section 93. That section 14 of chapter 30 of the 2012 Session Laws be amended to read as  
31   follows:

32   **BOARD OF REGENTS**

33       (6) South Dakota State University Proper

34           Personal Services, General Funds, delete "\$34,759,862" and insert "\$36,803,610"  
35           Personal Services, Federal Funds, delete "\$15,720,299" and insert "\$16,132,378"  
36           Personal Services, Other Funds, delete "\$72,415,889" and insert "\$74,052,713"  
37           Operating Expenses, Other Funds, delete "\$77,396,958" and insert "\$77,398,057"  
38   Adjust all totals accordingly.

Section 94. That section 14 of chapter 30 of the 2012 Session Laws be amended to read as follows:

**BOARD OF REGENTS**

(7) Cooperative Extension Service

Personal Services, General Funds, delete "\$7,289,150" and insert "\$7,405,979"

Personal Services, Federal Funds, delete "\$5,235,302" and insert "\$5,362,436"

Personal Services, Other Funds, delete "\$799,944" and insert "\$815,288"

Adjust all totals accordingly.

Section 95. That section 14 of chapter 30 of the 2012 Session Laws be amended to read as follows:

**BOARD OF REGENTS**

(8) Agricultural Experiment Station

Personal Services, General Funds, delete "\$9,566,991" and insert "\$9,692,499"

Personal Services, Federal Funds, delete "\$8,053,808" and insert "\$8,173,935"

Personal Services, Other Funds, delete "\$5,099,905" and insert "\$5,197,751"

Adjust all totals accordingly.

Section 96. That section 14 of chapter 30 of the 2012 Session Laws be amended to read as follows:

**BOARD OF REGENTS**

(9) South Dakota School of Mines and Technology

Personal Services, General Funds, delete "\$12,856,404" and insert "\$13,324,773"

Personal Services, Federal Funds, delete "\$20,508,231" and insert "\$20,694,519"

Personal Services, Other Funds, delete "\$16,057,032" and insert "\$16,398,469"

Operating Expenses, Other Funds, delete "\$21,995,545" and insert "\$21,995,620"

Adjust all totals accordingly.

Section 97. That section 14 of chapter 30 of the 2012 Session Laws be amended to read as follows:

**BOARD OF REGENTS**

(10) Northern State University

Personal Services, General Funds, delete "\$10,464,840" and insert "\$10,948,562"

Personal Services, Federal Funds, delete "\$1,243,739" and insert "\$1,257,894"

Personal Services, Other Funds, delete "\$11,956,352" and insert "\$12,125,679"

Operating Expenses, Other Funds, delete "\$8,533,487" and insert "\$8,533,642"

F.T.E., delete "336.5" and insert "338.5"

Adjust all totals accordingly.

Section 98. That section 14 of chapter 30 of the 2012 Session Laws be amended to read as follows:

**BOARD OF REGENTS****(11) Black Hills State University**

Personal Services, General Funds, delete "\$6,656,695" and insert "\$7,188,892"

Personal Services, Federal Funds, delete "\$3,901,197" and insert "\$4,023,697"

Personal Services, Other Funds, delete "\$19,670,093" and insert "\$20,116,503"

Operating Expenses, Other Funds, delete "\$14,081,712" and insert "\$14,081,878"

F.T.E., delete "410.5" and insert "418.5"

Adjust all totals accordingly.

Section 99. That section 14 of chapter 30 of the 2012 Session Laws be amended to read as follows:

**BOARD OF REGENTS****(12) Dakota State University**

Personal Services, General Funds, delete "\$7,602,586" and insert "\$7,999,861"

Personal Services, Federal Funds, delete "\$2,446,990" and insert "\$2,502,327"

Personal Services, Other Funds, delete "\$10,705,373" and insert "\$12,375,887"

Operating Expenses, Other Funds, delete "\$8,633,110" and insert "\$9,133,177"

F.T.E., delete "284.8" and insert "288.8"

Adjust all totals accordingly.

Section 100. That section 14 of chapter 30 of the 2012 Session Laws be amended to read as follows:

**BOARD OF REGENTS****(13) South Dakota School for the Deaf**

Personal Services, General Funds, delete "\$1,399,214" and insert "\$1,418,288"

F.T.E., delete "21.5" and insert "22.5"

Adjust all totals accordingly.

Section 101. That section 14 of chapter 30 of the 2012 Session Laws be amended to read as follows:

**BOARD OF REGENTS****(14) South Dakota School for the Blind and Visually Impaired**

Personal Services, General Funds, delete "\$2,362,926" and insert "\$2,417,092"

Personal Services, Federal Funds, delete "\$276,069" and insert "\$279,514"

Adjust all totals accordingly.

Section 102. That section 15 of chapter 30 of the 2012 Session Laws be amended to read as follows:

**DEPARTMENT OF THE MILITARY****(2) Adjutant General**

Personal Services, General Funds, delete "\$425,389" and insert "\$434,266"

Personal Services, Other Funds, delete "\$16,772" and insert "\$17,303"

Operating Expenses, General Funds, delete "\$459,302" and insert "\$461,691"



1 Adjust all totals accordingly.

2 Section 103. That section 15 of chapter 30 of the 2012 Session Laws be amended to read as  
3 follows:

4 DEPARTMENT OF THE MILITARY

5 (3) Army Guard

6 Personal Services, General Funds, delete "\$273,789" and insert "\$286,091"

7 Personal Services, Federal Funds, delete "\$1,821,728" and insert "\$1,885,430"

8 Operating Expenses, General Funds, delete "\$1,265,344" and insert "\$1,265,419"

9 Operating Expenses, Federal Funds, delete "\$15,774,430" and insert "\$15,774,527"

10 Adjust all totals accordingly.

11 Section 104. That section 15 of chapter 30 of the 2012 Session Laws be amended to read as  
12 follows:

13 DEPARTMENT OF THE MILITARY

14 (4) Air Guard

15 Personal Services, General Funds, delete "\$165,972" and insert "\$172,095"

16 Personal Services, Federal Funds, delete "\$2,331,331" and insert "\$2,398,061"

17 Operating Expenses, General Funds, delete "\$201,940" and insert "\$202,043"

18 Adjust all totals accordingly.

19 Section 105. That section 16 of chapter 30 of the 2012 Session Laws be amended to read as  
20 follows:

21 DEPARTMENT OF VETERANS' AFFAIRS

22 (1) Veterans' Benefits and Services

23 Personal Services, General Funds, delete, "\$832,613" and insert "\$858,642"

24 Personal Services, Federal Funds, delete, "\$199,649" and insert "\$205,127"

25 Operating Expenses, General Funds, delete, "\$160,975" and insert "\$764,119"

26 Operating Expenses, Federal Funds, delete, "\$83,302" and insert "\$84,021"

27 Adjust all totals accordingly.

28 Section 106. That section 16 of chapter 30 of the 2012 Session Laws be amended to read as  
29 follows:

30 DEPARTMENT OF VETERANS' AFFAIRS

31 (2) State Veterans' Home

32 Personal Services, General Funds, delete, "\$1,503,086" and insert "\$1,550,666"

33 Personal Services, Federal Funds, delete, "\$347,669" and insert "\$359,564"

34 Personal Services, Other Funds, delete, "\$2,348,608" and insert "\$2,422,350"

35 Operating Expenses, General Funds, delete, "\$678,497" and insert "\$679,100"

36 Operating Expenses, Other Funds, delete, "\$2,243,378" and insert "\$2,244,567"

37 Adjust all totals accordingly.

Section 107. That section 17 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF CORRECTIONS

(1) Administration, Central Office

Personal Services, General Funds, delete "\$2,193,004" and insert "\$2,338,535"

Personal Services, Federal Funds, delete "\$265,077" and insert "\$275,320"

Personal Services, Other Funds, delete "\$172,537" and insert "\$208,314"

Operating Expenses, General Funds, delete "\$16,513,475" and insert "\$16,758,301"

Operating Expenses, Federal Funds, delete "\$1,954,382" and insert "\$1,954,546"

Operating Expenses, Other Funds, delete "\$1,397,056" and insert "\$1,397,412"

Adjust all totals accordingly.

Section 108. That section 17 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF CORRECTIONS

(2) Mike Durfee State Prison

Personal Services, General Funds, delete "\$7,896,387" and insert "\$8,158,119"

Personal Services, Federal Funds, delete "\$30,990" and insert "\$32,523"

Personal Services, Other Funds, delete "\$315,634" and insert "\$327,443"

Operating Expenses, General Funds, delete "\$3,791,698" and insert "\$3,794,858"

Operating Expenses, Federal Funds, delete "\$76,574" and insert "\$77,547"

Operating Expenses, Other Funds, delete "\$290,577" and insert "\$292,441"

Adjust all totals accordingly.

Section 109. That section 17 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF CORRECTIONS

(3) State Penitentiary

Personal Services, General Funds, delete "\$13,073,820" and insert "\$13,515,312"

Personal Services, Federal Funds, delete "\$73,258" and insert "\$77,436"

Personal Services, Other Funds, delete "\$157,523" and insert "\$161,335"

Operating Expenses, General Funds, delete "\$4,065,771" and insert "\$4,071,276"

Operating Expenses, Federal Funds, delete "\$885,011" and insert "\$886,217"

Operating Expenses, Other Funds, delete "\$138,900" and insert "\$141,497"

Adjust all totals accordingly.

Section 110. That section 17 of chapter 30 of the 2012 Session Laws be amended to read as follows:

DEPARTMENT OF CORRECTIONS

(4) Women's Prison

Personal Services, General Funds, delete "\$2,547,048" and insert "\$2,616,815"

Operating Expenses, General Funds, delete "\$786,823" and insert "\$788,105"

Operating Expenses, Other Funds, delete "\$186,539" and insert "\$187,306"

1 Adjust all totals accordingly.

2 Section 111. That section 17 of chapter 30 of the 2012 Session Laws be amended to read as  
3 follows:

4 DEPARTMENT OF CORRECTIONS

5 (5) Pheasantland Industries

6 Personal Services, Other Funds, delete "\$796,274" and insert "\$826,221"

7 Operating Expenses, Other Funds, delete "\$1,740,285" and insert "\$1,743,107"

8 Adjust all totals accordingly.

9 Section 112. That section 17 of chapter 30 of the 2012 Session Laws be amended to read as  
10 follows:

11 DEPARTMENT OF CORRECTIONS

12 (7) Parole Services

13 Personal Services, General Funds, delete "\$2,378,375" and insert "\$2,459,609"

14 Personal Services, Other Funds, delete "\$213,769" and insert "\$214,296"

15 Operating Expenses, General Funds, delete "\$957,550" and insert "\$1,532,861"

16 Operating Expenses, Other Funds, delete "\$0" and insert "\$1,000,000"

17 Adjust all totals accordingly.

18 Section 113. That section 17 of chapter 30 of the 2012 Session Laws be amended to read as  
19 follows:

20 DEPARTMENT OF CORRECTIONS

21 (8) Juvenile Community Corrections

22 Personal Services, General Funds, delete "\$2,346,110" and insert "\$2,416,431"

23 Operating Expenses, General Funds, delete "\$12,999,480" and insert "\$13,005,299"

24 Adjust all totals accordingly.

25 Section 114. That section 17 of chapter 30 of the 2012 Session Laws be amended to read as  
26 follows:

27 DEPARTMENT OF CORRECTIONS

28 (9) Youth Challenge Center

29 Personal Services, General Funds, delete "\$1,285,733" and insert "\$1,327,292"

30 Operating Expenses, General Funds, delete "\$104,689" and insert "\$106,091"

31 Adjust all totals accordingly.

32 Section 115. That section 17 of chapter 30 of the 2012 Session Laws be amended to read as  
33 follows:

34 DEPARTMENT OF CORRECTIONS

35 (10) Patrick Henry Brady Academy

36 Personal Services, General Funds, delete "\$1,329,901" and insert "\$1,371,748"

37 Operating Expenses, General Funds, delete "\$89,076" and insert "\$89,815"

1 Adjust all totals accordingly.

2 Section 116. That section 17 of chapter 30 of the 2012 Session Laws be amended to read as  
3 follows:

4 DEPARTMENT OF CORRECTIONS

5 (11) State Treatment and Rehabilitation Academy

6 Personal Services, General Funds, delete "\$2,206,600" and insert "\$2,278,434"

7 Operating Expenses, General Funds, delete "\$2,092,561" and insert "\$2,098,420"

8 Adjust all totals accordingly.

9 Section 117. That section 17 of chapter 30 of the 2012 Session Laws be amended to read as  
10 follows:

11 DEPARTMENT OF CORRECTIONS

12 (6) QUEST and ExCEL

13 Personal Services, General Funds, delete "\$1,437,950" and insert "\$1,482,593"

14 Operating Expenses, General Funds, delete "\$108,356" and insert "\$109,297"

15 Adjust all totals accordingly.

16 Section 118. That section 18 of chapter 30 of the 2012 Session Laws be amended to read as  
17 follows:

18 DEPARTMENT OF HUMAN SERVICES

19 (1) Administration, Secretary of Human Services

20 Personal Services, General Funds, delete "\$488,819" and insert "\$499,387"

21 Personal Services, Federal Funds, delete "\$420,174" and insert "\$430,204"

22 Operating Expenses, General Funds, delete "\$271,299" and insert "\$272,557"

23 Operating Expenses, Federal Funds, delete "\$130,059" and insert "\$131,254"

24 Adjust all totals accordingly.

25 Section 119. That section 18 of chapter 30 of the 2012 Session Laws be amended to read as  
26 follows:

27 DEPARTMENT OF HUMAN SERVICES

28 (2) Developmental Disabilities

29 Personal Services, General Funds, delete "\$573,926" and insert "\$588,291"

30 Personal Services, Federal Funds, delete "\$507,888" and insert "\$521,512"

31 Operating Expenses, General Funds, delete "\$44,244,966" and insert "\$44,247,818"

32 Operating Expenses, Federal Funds, delete "\$67,600,732" and insert "\$67,605,353"

33 Adjust all totals accordingly.

34 Section 120. That section 18 of chapter 30 of the 2012 Session Laws be amended to read as  
35 follows:

36 DEPARTMENT OF HUMAN SERVICES

37 (3) South Dakota Developmental Center – Redfield

1           Personal Services, General Funds, delete "\$7,997,016" and insert "\$8,258,851"  
2           Personal Services, Federal Funds, delete "\$10,568,551" and insert "\$10,906,632"  
3           Operating Expenses, General Funds, delete "\$2,109,428" and insert "\$2,120,519"  
4           Operating Expenses, Federal Funds, delete "\$2,779,258" and insert "\$2,795,661"  
5   Adjust all totals accordingly.

6           Section 121. That section 18 of chapter 30 of the 2012 Session Laws be amended to read as  
7   follows:

8   DEPARTMENT OF HUMAN SERVICES

9       (4) Rehabilitation Services

10           Personal Services, General Funds, delete "\$708,037" and insert "\$728,515"  
11           Personal Services, Federal Funds, delete "\$3,936,601" and insert "\$4,059,346"  
12           Operating Expenses, General Funds, delete "\$3,178,208" and insert "\$3,182,192"  
13           Operating Expenses, Federal Funds, delete "\$11,287,220" and insert "\$11,303,864"  
14   Adjust all totals accordingly.

15           Section 122. That section 18 of chapter 30 of the 2012 Session Laws be amended to read as  
16   follows:

17   DEPARTMENT OF HUMAN SERVICES

18       (6) Services to the Blind and Visually Impaired

19           Personal Services, General Funds, delete "\$431,253" and insert "\$441,511"  
20           Personal Services, Federal Funds, delete "\$1,033,637" and insert "\$1,063,900"  
21           Personal Services, Other Funds, delete "\$137,100" and insert "\$141,393"  
22           Operating Expenses, General Funds, delete "\$382,063" and insert "\$382,759"  
23           Operating Expenses, Federal Funds, delete "\$1,106,726" and insert "\$1,110,116"  
24           Operating Expenses, Other Funds, delete "\$120,078" and insert "\$120,156"  
25   Adjust all totals accordingly.

26           Section 123. That section 19 of chapter 30 of the 2012 Session Laws be amended to read as  
27   follows:

28   DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

29       (1) Financial and Technical Assistance

30           Personal Services, General Funds, delete "\$1,790,171" and insert "\$1,828,337"  
31           Personal Services, Federal Funds, delete "\$1,281,727" and insert "\$1,311,676"  
32           Personal Services, Other Funds, delete "\$720,931" and insert "\$738,904"  
33           Operating Expenses, General Funds, delete "\$335,345" and insert "\$338,945"  
34           Operating Expenses, Federal Funds, delete "\$697,728" and insert "\$703,459"  
35           Operating Expenses, Other Funds, delete "\$261,280" and insert "\$266,564"  
36   Adjust all totals accordingly.

37           Section 124. That section 19 of chapter 30 of the 2012 Session Laws be amended to read as  
38   follows:

1 DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

2 (2) Environmental Services

3 Personal Services, General Funds, delete "\$2,856,523" and insert "\$2,922,128"

4 Personal Services, Federal Funds, delete "\$3,277,086" and insert "\$3,347,930"

5 Personal Services, Other Funds, delete "\$1,993,236" and insert "\$2,035,856"

6 Operating Expenses, General Funds, delete "\$544,154" and insert "\$554,533"

7 Operating Expenses, Federal Funds, delete "\$2,052,157" and insert "\$2,063,659"

8 Operating Expenses, Other Funds, delete "\$837,047" and insert "\$841,519"

9 Adjust all totals accordingly.

10 Section 125. That section 19 of chapter 30 of the 2012 Session Laws be amended to read as  
11 follows:

12 DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

13 (5) Petroleum Release Compensation

14 Personal Services, Other Funds, delete "\$341,972" and insert "\$349,747"

15 Operating Expenses, Other Funds, delete "\$63,732" and insert "\$64,848"

16 Adjust all totals accordingly.

17 Section 126. That section 20 of chapter 30 of the 2012 Session Laws be amended to read as  
18 follows:

19 PUBLIC UTILITIES COMMISSION

20 (1) Public Utilities Commission

21 Personal Services, General Funds, delete "\$423,345" and insert "\$431,471"

22 Personal Services, Federal Funds, delete "\$343,414" and insert "\$350,005"

23 Personal Services, Other Funds, delete "\$1,924,413" and insert "\$1,961,372"

24 Operating Expenses, General Funds, delete "\$52,199" and insert "\$52,285"

25 Operating Expenses, Federal Funds, delete "\$73,142" and insert "\$74,022"

26 Operating Expenses, Other Funds, delete "\$1,390,438" and insert "\$1,395,864"

27 Adjust all totals accordingly.

28 Section 127. That section 21 of chapter 30 of the 2012 Session Laws be amended to read as  
29 follows:

30 UNIFIED JUDICIAL SYSTEM

31 (2) Unified Judicial System

32 Personal Services, General Funds, delete "\$31,034,243" and insert "\$31,830,826"

33 Personal Services, Federal Funds, delete "\$309,334" and insert "\$312,842"

34 Personal Services, Other Funds, delete "\$2,074,616" and insert "\$2,133,691"

35 Operating Expenses, General Funds, delete "\$2,666,871" and insert "\$3,528,008"

36 Operating Expenses, Other Funds, delete "\$9,076,296" and insert "\$9,185,544"

37 Adjust all totals accordingly.

38

1 Section 128. That section 22 of chapter 30 of the 2012 Session Laws be amended to read as  
2 follows:

3 LEGISLATURE

4 (1) Legislative Operations

5 Appropriation, General Funds, delete "\$4,838,790" and insert "\$4,908,459"

6 Appropriations, Other Funds, delete "\$35,000" and insert "\$256,534"

7 Adjust all totals accordingly.

8 Section 129. That section 22 of chapter 30 of the 2012 Session Laws be amended to read as  
9 follows:

10 LEGISLATURE

11 (3) Auditor General

12 Personal Services, General Funds, delete "\$2,506,713" and insert "\$2,559,022"

13 Adjust all totals accordingly.

14 Section 130. That section 23 of chapter 30 of the 2012 Session Laws be amended to read as  
15 follows:

16 ATTORNEY GENERAL

17 (1) Legal Services Program

18 Personal Services, General Funds, delete "\$4,221,579" and insert "\$4,309,786"

19 Personal Services, Federal Funds, delete "\$713,914" and insert "\$727,514"

20 Personal Services, Other Funds, delete "\$1,232,467" and insert "\$1,250,301"

21 Operating Expenses, General Funds, delete "\$617,232" and insert "\$634,647"

22 Operating Expenses, Federal Funds, delete "\$672,464" and insert "\$675,743"

23 Operating Expenses, Other Funds, delete "\$742,716" and insert "\$1,027,487"

24 Adjust all totals accordingly.

25 Section 131. That section 23 of chapter 30 of the 2012 Session Laws be amended to read as  
26 follows:

27 ATTORNEY GENERAL

28 (2) Criminal Investigation

29 Personal Services, General Funds, delete "\$2,545,930" and insert "\$2,599,339"

30 Personal Services, Federal Funds, delete "\$1,066,209" and insert "\$1,089,874"

31 Personal Services, Other Funds, delete "\$1,737,163" and insert "\$1,777,615"

32 Operating Expenses, General Funds, delete "\$1,499,507" and insert "\$2,061,337"

33 Operating Expenses, Federal Funds, delete "\$1,952,063" and insert "\$1,952,173"

34 Operating Expenses, Other Funds, delete "\$2,052,509" and insert "\$2,929,962"

35 Adjust all totals accordingly.

36 Section 132. That section 23 of chapter 30 of the 2012 Session Laws be amended to read as  
37 follows:

1 ATTORNEY GENERAL

2 (3) Law Enforcement Training

3 Personal Services, Other Funds, delete "\$713,234" and insert "\$728,468"

4 Operating Expenses, General Funds, delete "\$327,842" and insert "\$363,022"

5 Operating Expenses, Other Funds, delete "\$963,496" and insert "\$982,841"

6 Adjust all totals accordingly.

7 Section 133. That section 23 of chapter 30 of the 2012 Session Laws be amended to read as  
8 follows:

9 ATTORNEY GENERAL

10 (4) 911 Training

11 Personal Services, Other Funds, delete "\$110,977" and insert "\$114,394"

12 Operating Expenses, Other Funds, delete "\$97,293" and insert "\$97,563"

13 Adjust all totals accordingly.

14 Section 134. That section 23 of chapter 30 of the 2012 Session Laws be amended to read as  
15 follows:

16 ATTORNEY GENERAL

17 (5) Insurance Fraud Unit – Informational

18 Personal Services, Other Funds, delete "\$161,759" and insert "\$167,563"

19 Adjust all totals accordingly.

20 Section 135. That section 24 of chapter 30 of the 2012 Session Laws be amended to read as  
21 follows:

22 SCHOOL AND PUBLIC LANDS

23 (1) Administration of School and Public Lands

24 Personal Services, General Funds, delete "\$390,841" and insert "\$400,531"

25 Operating Expenses, General Funds, delete "\$606,158" and insert "\$608,360"

26 Adjust all totals accordingly.

27 Section 136. That section 25 of chapter 30 of the 2012 Session Laws be amended to read as  
28 follows:

29 SECRETARY OF STATE

30 (1) Secretary of State

31 Personal Services, General Funds, delete "\$634,224" and insert "\$650,973"

32 Personal Services, Federal Funds, delete "\$73,970" and insert "\$75,924"

33 Personal Services, Other Funds, delete "\$147,891" and insert "\$151,798"

34 Operating Expenses, General Funds, delete "\$265,242" and insert "\$337,304"

35 Operating Expenses, Other Funds, delete "\$310,511" and insert "\$311,231"

36 Adjust all totals accordingly.



1 Section 137. That section 26 of chapter 30 of the 2012 Session Laws be amended to read as  
2 follows:

3 STATE TREASURER

4 (1) Treasury Management

5 Personal Services, General Funds, delete "\$349,228" and insert "\$357,744"

6 Operating Expenses, General Funds, delete "\$119,398" and insert "\$138,524"

7 Adjust all totals accordingly.

8 Section 138. That section 26 of chapter 30 of the 2012 Session Laws be amended to read as  
9 follows:

10 STATE TREASURER

11 (2) Unclaimed Property--Informational

12 Personal Services, Other Funds, delete "\$246,775" and insert "\$252,794"

13 Operating Expenses, Other Funds, delete "\$2,654,666" and insert "\$2,655,909"

14 Adjust all totals accordingly.

15 Section 139. That section 26 of chapter 30 of the 2012 Session Laws be amended to read as  
16 follows:

17 STATE TREASURER

18 (3) Investment of State Funds

19 Personal Services, Other Funds, delete "\$7,204,966" and insert "\$7,250,186"

20 Operating Expenses, Other Funds, delete "\$1,580,352" and insert "\$1,581,020"

21 Adjust all totals accordingly.

22 Section 140. That section 27 of chapter 30 of the 2012 Session Laws be amended to read as  
23 follows:

24 STATE AUDITOR

25 (1) State Auditor

26 Personal Services, General Funds, delete "\$1,007,868" and insert "\$1,033,708"

27 Operating Expenses, General Funds, delete "\$128,128" and insert "\$132,244"

28 Adjust all totals accordingly.

29 Section 141. That chapter 30 of the 2012 Session Laws be amended to be adding thereto a  
30 NEW SECTION to read as follows:

31 Section 39. The state treasurer shall transfer to the research proof-of-concept fund five  
32 hundred thousand dollars (\$500,000), from the state general fund.

33 Section 142. That chapter 30 of the 2012 Session Laws be amended to be adding thereto a NEW  
34 SECTION to read as follows:

35 Section 40. The state treasurer shall transfer to the Department of Corrections local and  
36 endowment fund one million dollars (\$1,000,000), from the state general fund.

1 Section 143. That section 30 of chapter 30 of the 2012 Session Laws be amended to read as  
2 follows:

3 Section 30. The state treasurer shall transfer to the state general fund ~~twelve million dollars~~  
4 ~~(\$12,000,000) from the dakota cement trust fund~~ money from the dakota cement trust fund, the  
5 amount identified by notice of the state investment officer pursuant to S.D. Const., Art. XIII,  
6 § 21, for the Department of Education - state aid to education.

7 Section 144. That chapter 30 of the 2012 Session Laws be amended by adding thereto a  
8 NEW SECTION to read as follows:

9 Section 42. The state treasurer shall transfer to the tobacco prevention and reduction trust  
10 fund one million dollars (\$1,000,000) from the state general fund.

11 Section 145. That chapter 30 of the 2012 Session Laws be amended by adding thereto a  
12 NEW SECTION to read as follows:

13 Section 43. The state treasurer shall transfer to the cement plant retirement fund two million  
14 dollars (\$2,000,000) from the state general fund.

15 Section 146. That chapter 30 of the 2012 Session Laws be amended by adding thereto a  
16 NEW SECTION to read as follows:

17 Section 44. The state treasurer shall transfer to the state general fund four million one  
18 hundred thirty-three thousand one hundred ninety-two dollars (\$4,133,192) from the tax relief  
19 fund.

20 Section 147. That chapter 30 of the 2012 Session Laws be amended by adding thereto a  
21 NEW SECTION to read as follows:

22 Section 45. The state treasurer shall transfer to the state general fund one million eight  
23 hundred thirty-nine thousand nine hundred ninety dollars (\$1,839,990) from the budgetary  
24 accounting fund.

25 Section 148. That Chapter 30 of 2012 Session Laws be amended by adding thereto a NEW  
26 SECTION to read as follows:

27 Section 46. The state treasurer shall transfer to the employers' investment in South Dakota's  
28 future fund three million six hundred thousand dollars (\$3,600,000) from the state general fund.

29 Section 149. Funds appropriated by this Act which are unspent at the end of fiscal year  
30 2013 shall be carried over to fiscal year 2014.

31 Section 150. This Act is effective June 26, 2013."

32 And that as so amended said bill do pass.

1 Also MR. SPEAKER:

2 The Committee on Appropriations respectfully reports that it has had under consideration  
3 SB 138 and returns the same with the recommendation that said bill be amended as follows:

4 138ma

5 On the House Education Committee engrossed bill, delete everything after the enacting  
6 clause and insert:

7 " Section 1. That section 12 chapter 30 of the 2012 Session Laws be amended by adding  
8 thereto a NEW SECTION to read as follows:

9 DEPARTMENT OF EDUCATION

10 (2A) Nonrecurring State Aid to General Education Allocation

11	Personal Services	\$0	\$0	\$0	\$0
12	Operating Expenses	\$5,829,318	\$0	\$0	\$5,829,318
13	Total	\$5,829,318	\$0	\$0	\$5,829,318
14	F.T.E				0.0

15 The one-time funding appropriated by this subsection shall be distributed to school districts  
16 based on actual FY2012 fall enrollment.

17 Adjust all totals accordingly.

18 Section 2. That section 12 chapter 30 of the 2012 Session Laws be amended by adding  
19 thereto a NEW SECTION to read as follows:

20 DEPARTMENT OF EDUCATION

21 (10A) Nonrecurring Postsecondary Vocational Education Allocation

22	Personal Services	\$0	\$0	\$0	\$0
23	Operating Expenses	\$200,000	\$0	\$0	\$200,000
24	Total	\$200,000	\$0	\$0	\$200,000
25	F.T.E				0.0

1 The funding appropriated by this subsection shall be distributed on a one-time basis to the  
2 technical institutes based on FY2012 actual student F.T.E.

3 Adjust all totals accordingly."

4 138mta

5 On page 1, line 1, of the House Education Committee engrossed bill, delete everything  
6 after "Act to" and insert "make an appropriation to enhance education by revising the General  
7 Appropriations Act for fiscal year 2013."

8 And that as so amended said bill do pass.

9 Also MR. SPEAKER:

10 The Committee on Appropriations respectfully reports that it has had under consideration  
11 SB 155 and returns the same with the recommendation that said bill be amended as follows:

12 155mb

13 On page 2, line 17, of the Senate Appropriations Committee engrossed bill, delete "one  
14 dollar (\$1)" and insert "two dollars (\$2)".

15 And that as so amended said bill do pass.

16 Also MR. SPEAKER:

17 The Committee on Appropriations respectfully reports that it has had under consideration  
18 SB 159, which was reconsidered, and returns the same with the recommendation that said bill  
19 be amended as follows:

20 159ma

21 On page 3, line 14, of the Senate engrossed bill, delete "0.01" and insert "0.005".

22 And that as so amended said bill do pass.

23 Also MR. SPEAKER:

24 The Committee on Appropriations respectfully reports that it has had under consideration  
25 SB 233 and returns the same with the recommendation that said bill be amended as follows:

1 233ma

2 On page 5, line 13, of the Senate Appropriations Committee engrossed bill, delete "one  
3 dollar (\$1)" and insert "two dollars (\$2)".

4 And that as so amended said bill do pass.

5 Also MR. SPEAKER:

6 The Committee on Appropriations respectfully reports that it has had under consideration  
7 SB 236 and returns the same with the recommendation that said bill be amended as follows:

8 236md

9 On page 1, line 5, of the Senate Appropriations Committee engrossed bill, delete "one  
10 dollar (\$1)" and insert "two dollars (\$2)".

11 And that as so amended said bill do pass.

12 Also MR. SPEAKER:

13 The Committee on Appropriations respectfully reports that it has had under consideration  
14 SB 237 and returns the same with the recommendation that said bill be amended as follows:

15 237oc

16 On page 5, line 15, of the Senate State Affairs Committee engrossed bill, overstrike "in the  
17 Board of Regents".

18 On page 5, delete line 16, and insert "grants through the Board of Regents pursuant to this  
19 chapter to qualified students. All ~~moneys in~~ distributions from the South Dakota need-based".

20 On page 5, line 17, after "to" insert "transfer to the general fund and".

21 On page 5, line 18, delete everything after "programs" and insert "consistent with the  
22 provision of S.D. Const., Art. XII, 6, and section 13 of this Act. ~~Any interest earned shall~~".

23 On page 5, line 19, overstrike "be credited to the fund."

24 On page 6, line 10, delete everything after "." and insert "Beginning in fiscal year 2015, the  
25 portion of the transfer to the general fund for the need-based matching program, shall be  
26 calculated by the state investment officer based on the relative share of the contributions made  
27 to the need-based grant fund to the most recently calculated total fair value of the education  
28 enhancement fund including the contribution. The calculation shall be updated monthly to  
29 reflect any additional contributions to the education enhancement trust fund and the portion of

1 the transfer to the general fund for the need-based matching program shall be based on the  
2 average of the monthly calculation.

3 Section 14. For fiscal year 2014, two hundred thousand dollars (\$200,000) of the education  
4 enhancement trust fund distribution shall be transferred to the need-based matching program."

5 On page 6, delete lines 11 to 14, inclusive.

6 237da

7 On page 5, line 11, of the Senate State Affairs Committee engrossed bill, delete "one dollar  
8 (\$1)" and insert "two dollars (\$2)".

9 And that as so amended said bill do pass.

10 Also MR. SPEAKER:

11 The Committee on Appropriations respectfully reports that it has had under consideration  
12 SB 159, which was reconsidered, 176, 229, and 238 which were deferred to the 41<sup>st</sup> Legislative  
13 Day.

14 Respectfully submitted,  
15 Fred W. Romkema, Chair

16 Also MR. SPEAKER:

17 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing  
18 and Enrolling has carefully compared HB 1048, 1056, 1058, 1120, 1170, 1209, and 1237 and  
19 finds the same correctly enrolled.

20 Respectfully submitted,  
21 Brian G. Gosch, Chair

22 **MESSAGES FROM THE SENATE**

23 MR. SPEAKER:

24 I have the honor to inform your honorable body that the Senate has failed to concur in  
25 House amendments to SB 147 and has appointed Sens. Tieszen, Peters, and Lucas as a  
26 committee of three on the part of the Senate to meet with a like committee on the part of the  
27 House to adjust the differences between the two houses.

1 Also MR. SPEAKER:

2 I have the honor to inform your honorable body that HB 1108 was tabled.

3 Respectfully,  
4 Jeannette Schipper, Secretary

5 **ANNOUNCEMENTS**

6 The Speaker appointed Reps. Munsterman, Novstrup, and Parsley as a committee of three  
7 on the part of the House to meet with a like committee on the part of the Senate to adjust the  
8 differences between the two houses on SB 5.

9 The Speaker appointed Reps. Stevens, Johns, and Killer as a committee of three on the part  
10 of the House to meet with a like committee on the part of the Senate to adjust the differences  
11 between the two houses on SB 39.

12 The Speaker appointed Reps. Lust, Stevens, and Heinert as a committee of three on the part  
13 of the House to meet with a like committee on the part of the Senate to adjust the differences  
14 between the two houses on SB 147.

15 **SIGNING OF BILLS**

16 The Speaker publicly read the title to

17 HB 1048: FOR AN ACT ENTITLED, An Act to revise and repeal certain provisions  
18 related to the Department of Agriculture.

19 HB 1056: FOR AN ACT ENTITLED, An Act to revise various trust and trust company  
20 provisions.

21 HB 1058: FOR AN ACT ENTITLED, An Act to repeal and revise certain statutes related  
22 to the Animal Industry Board.

23 HB 1120: FOR AN ACT ENTITLED, An Act to allow regional intergovernmental  
24 cooperation for sewer utilities and to provide for the establishment of rates and charges.

25 HB 1170: FOR AN ACT ENTITLED, An Act to revise certain provisions for a secondary  
26 election if the candidates for the United States Senate, United States House of Representatives,  
27 or Governor do not receive a sufficient percentage of the votes cast during a primary election.

1 HB 1209: FOR AN ACT ENTITLED, An Act to prohibit certain persons who fail to pay  
2 certain campaign finance related penalties from running for office.

3 HB 1237: FOR AN ACT ENTITLED, An Act to revise certain provisions to abortion  
4 counseling.

5 SB 6: FOR AN ACT ENTITLED, An Act to determine whether factors affecting  
6 productivity should be applied if the actual use of agricultural land does not correspond to the  
7 soil classification standards.

8 SB 74: FOR AN ACT ENTITLED, An Act to require the forfeiture of preference points  
9 for certain hunting licenses upon conviction of unlawfully killing, destroying, taking, or  
10 possessing trophy animals.

11 SB 83: FOR AN ACT ENTITLED, An Act to designate Welcome Home Vietnam Veterans  
12 Day as a working holiday.

13 SB 96: FOR AN ACT ENTITLED, An Act to exempt certain school districts from the  
14 requirement to reorganize due to low enrollment.

15 SB 115: FOR AN ACT ENTITLED, An Act to increase the commercial fertilizer  
16 inspection fee for purposes of fertilizer-related research and to create the Nutrient Research  
17 Education Council to promote such research.

18 SB 119: FOR AN ACT ENTITLED, An Act to ensure freedom of media coverage of high  
19 school activities.

20 SB 130: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning  
21 absentee voting.

22 SB 145: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the  
23 content of annual property tax bill.

24 SB 156: FOR AN ACT ENTITLED, An Act to authorize township boards to increase the  
25 front foot assessment for road maintenance, repairs, and improvements and to revise certain  
26 provisions concerning road districts established by townships.

27 SB 227: FOR AN ACT ENTITLED, An Act to revise provisions relating to the possession  
28 of firearms on snowmobiles.

29 And signed the same in the presence of the House.



**COMMEMORATIONS**

HC 1041 Introduced by: Representative Nelson and Senator Van Gerpen

A LEGISLATIVE COMMEMORATION, Posthumously honoring Senior Airman Jonathan Vega Yelner.

WHEREAS, Jonathan Vega Yelner volunteered to serve in the United States Air Force, was a member of the Ellsworth Air Force Base community, and selflessly paid the terrible costs for our freedoms while serving in Afghanistan on April 29, 2008; and

WHEREAS, Senior Airman Jonathan Vega Yelner's service and ultimate sacrifice were in keeping with the highest traditions of South Dakota's veterans and the United States Armed Forces; and

WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain from even now tendering the consolation that may be found in this heartfelt appreciation and respect of the people of South Dakota that Jonathan died protecting; and

WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and friends' bereavement, and leave them only the cherished memory of the loved and lost, and the solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the State of South Dakota, that Senior Airman Jonathan Vega Yelner is posthumously honored, commended, and remembered for his service and noble sacrifices for the people of South Dakota. In token of South Dakota's common perpetual grief at his loss, this commemoration is enrolled and appropriately immortalized for posterity. *Requiescat in pace.*

HC 1042 Introduced by: Representative Nelson and Senator Van Gerpen

A LEGISLATIVE COMMEMORATION, Posthumously honoring Staff Sergeant Jeremy Vrooman.

WHEREAS, Jeremy Vrooman volunteered to serve in the United States Army, was a member of the Sioux Falls community, and selflessly paid the terrible costs for our freedoms while serving in Iraq on July 15, 2008; and

WHEREAS, Staff Sergeant Jeremy Vrooman's service and ultimate sacrifice were in keeping with the highest traditions of South Dakota's veterans and the United States Armed Forces; and

WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain

1 from even now tendering the consolation that may be found in this heartfelt appreciation and  
2 respect of the people of South Dakota that Jeremy died protecting; and

3 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
4 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
5 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

6 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
7 State of South Dakota, that Staff Sergeant Jeremy Vrooman is posthumously honored,  
8 commended, and remembered for his service and noble sacrifices for the people of South  
9 Dakota. In token of South Dakota's common perpetual grief at his loss, this commemoration is  
10 enrolled and appropriately immortalized for posterity. *Requiescat in pace.*

11 HC 1043 Introduced by: Representative Nelson and Senator Van Gerpen

12 A LEGISLATIVE COMMEMORATION, Posthumously honoring Specialist Estell Turner.

13 WHEREAS, Estell Turner volunteered to serve in the United States Army, was a member  
14 of the Sioux Falls community, and selflessly paid the terrible costs for our freedoms while  
15 serving in Afghanistan on July 2, 2008; and

16 WHEREAS, Specialist Estell Turner's service and ultimate sacrifice were in keeping with  
17 the highest traditions of South Dakota's veterans and the United States Armed Forces; and

18 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
19 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
20 from even now tendering the consolation that may be found in this heartfelt appreciation and  
21 respect of the people of South Dakota that Estell died protecting; and

22 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
23 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
24 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

25 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
26 State of South Dakota, that Specialist Estell Turner is posthumously honored, commended, and  
27 remembered for his service and noble sacrifices for the people of South Dakota. In token of  
28 South Dakota's common perpetual grief at his loss, this commemoration is enrolled and  
29 appropriately immortalized for posterity. *Requiescat in pace.*

1 HC 1044 Introduced by: Representative Nelson and Senator Van Gerpen

2 A LEGISLATIVE COMMEMORATION, Posthumously honoring Corporal Tanner O'Leary.

3 WHEREAS, Tanner O'Leary volunteered to serve in the United States Army, was a member  
4 of the Eagle Butte community, and selflessly paid the terrible costs for our freedoms while  
5 serving in Afghanistan on December 12, 2007; and

6 WHEREAS, Corporal Tanner O'Leary's service and ultimate sacrifice were in keeping with  
7 the highest traditions of South Dakota's veterans and the United States Armed Forces; and

8 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
9 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
10 from even now tendering the consolation that may be found in this heartfelt appreciation and  
11 respect of the people of South Dakota that Tanner died protecting; and

12 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
13 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
14 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

15 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
16 State of South Dakota, that Corporal Tanner O'Leary is posthumously honored, commended,  
17 and remembered for his service and noble sacrifices for the people of South Dakota. In token  
18 of South Dakota's common perpetual grief at his loss, this commemoration is enrolled and  
19 appropriately immortalized for posterity. *Requiescat in pace.*

20 HC 1045 Introduced by: Representative Nelson and Senator Van Gerpen

21 A LEGISLATIVE COMMEMORATION, Posthumously honoring First Lieutenant Thomas  
22 Martin.

23 WHEREAS, Thomas Martin volunteered to serve in the United States Army, was a member  
24 of the Huron community, and selflessly paid the terrible costs for our freedoms while serving  
25 in Iraq on October 14, 2007; and

26 WHEREAS, First Lieutenant Thomas Martin's service and ultimate sacrifice were in  
27 keeping with the highest traditions of South Dakota's veterans and the United States Armed  
28 Forces; and

29 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
30 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
31 from even now tendering the consolation that may be found in this heartfelt appreciation and  
32 respect of the people of South Dakota that Thomas died protecting; and

1 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
2 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
3 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

4 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
5 State of South Dakota, that First Lieutenant Thomas Martin is posthumously honored,  
6 commended, and remembered for his service and noble sacrifices for the people of South  
7 Dakota. In token of South Dakota's common perpetual grief at his loss, this commemoration is  
8 enrolled and appropriately immortalized for posterity. *Requiescat in pace.*

9 HC 1046 Introduced by: Representative Nelson and Senator Van Gerpen

10 A LEGISLATIVE COMMEMORATION, Posthumously honoring Staff Sergeant Zachary  
11 Tomczak.

12 WHEREAS, Zachary Tomczak volunteered to serve in the United States Army, was a  
13 member of the Huron community, and selflessly paid the terrible costs for our freedoms while  
14 serving in Iraq on September 25, 2007; and

15 WHEREAS, Staff Sergeant Zachary Tomczak's service and ultimate sacrifice were in  
16 keeping with the highest traditions of South Dakota's veterans and the United States Armed  
17 Forces; and

18 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
19 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
20 from even now tendering the consolation that may be found in this heartfelt appreciation and  
21 respect of the people of South Dakota that Zachary died protecting; and

22 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
23 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
24 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

25 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
26 State of South Dakota, that Staff Sergeant Zachary Tomczak is posthumously honored,  
27 commended, and remembered for his service and noble sacrifices for the people of South  
28 Dakota. In token of South Dakota's common perpetual grief at his loss, this commemoration is  
29 enrolled and appropriately immortalized for posterity. *Requiescat in pace.*

1 HC 1047 Introduced by: Representative Nelson and Senator Van Gerpen

2 A LEGISLATIVE COMMEMORATION, Posthumously honoring Staff Sergeant Robb  
3 Rolfig.

4 WHEREAS, Robb Rolfig volunteered to serve in the United States Army, was a member  
5 of the Sioux Falls community, and selflessly paid the terrible costs for our freedoms while  
6 serving in Iraq on June 30, 2007; and

7 WHEREAS, Staff Sergeant Robb Rolfig's service and ultimate sacrifice were in keeping  
8 with the highest traditions of South Dakota's veterans and the United States Armed Forces; and

9 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
10 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
11 from even now tendering the consolation that may be found in this heartfelt appreciation and  
12 respect of the people of South Dakota that Robb died protecting; and

13 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
14 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
15 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

16 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
17 State of South Dakota, that Staff Sergeant Robb Rolfig is posthumously honored, commended,  
18 and remembered for his service and noble sacrifices for the people of South Dakota. In token  
19 of South Dakota's common perpetual grief at his loss, this commemoration is enrolled and  
20 appropriately immortalized for posterity. *Requiescat in pace.*

21 HC 1048 Introduced by: Representative Nelson and Senator Van Gerpen

22 A LEGISLATIVE COMMEMORATION, Posthumously honoring Staff Sergeant Gregory  
23 Wagner.

24 WHEREAS, Gregory Wagner volunteered to serve in the South Dakota Army National  
25 Guard, was a member of the Alexandria community, and selflessly paid the terrible costs for our  
26 freedoms while serving in Iraq on May 8, 2006; and

27 WHEREAS, Staff Sergeant Gregory Wagner's service and ultimate sacrifice were in keeping  
28 with the highest traditions of South Dakota's veterans and the United States Armed Forces; and

29 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
30 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
31 from even now tendering the consolation that may be found in this heartfelt appreciation and  
32 respect of the people of South Dakota that Gregory died protecting; and

1 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
2 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
3 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

4 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
5 State of South Dakota, that Staff Sergeant Gregory Wagner is posthumously honored,  
6 commended, and remembered for his service and noble sacrifices for the people of South  
7 Dakota. In token of South Dakota's common perpetual grief at his loss, this commemoration is  
8 enrolled and appropriately immortalized for posterity. *Requiescat in pace.*

9 HC 1049 Introduced by: Representative Nelson and Senator Van Gerpen

10 A LEGISLATIVE COMMEMORATION, Posthumously honoring Staff Sergeant Daniel Cuka.

11 WHEREAS, Daniel Cuka volunteered to serve in the South Dakota Army National Guard,  
12 was a member of the Yankton community, and selflessly paid the terrible costs for our freedoms  
13 while serving in Iraq on December 4, 2005; and

14 WHEREAS, Staff Sergeant Daniel Cuka's service and ultimate sacrifice were in keeping  
15 with the highest traditions of South Dakota's veterans and the United States Armed Forces; and

16 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
17 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
18 from even now tendering the consolation that may be found in this heartfelt appreciation and  
19 respect of the people of South Dakota that Daniel died protecting; and

20 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
21 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
22 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

23 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
24 State of South Dakota, that Staff Sergeant Daniel Cuka is posthumously honored, commended,  
25 and remembered for his service and noble sacrifices for the people of South Dakota. In token  
26 of South Dakota's common perpetual grief at his loss, this commemoration is enrolled and  
27 appropriately immortalized for posterity. *Requiescat in pace.*

28 HC 1050 Introduced by: Representative Nelson and Senator Van Gerpen

29 A LEGISLATIVE COMMEMORATION, Posthumously honoring Sergeant First Class Richard  
30 Schild.

31 WHEREAS, Richard Schild volunteered to serve in the South Dakota Army National Guard,  
32 was a member of the Tabor community, and selflessly paid the terrible costs for our freedoms  
33 while serving in Iraq on December 4, 2005; and

1 WHEREAS, Sergeant First Class Richard Schild's service and ultimate sacrifice were in  
2 keeping with the highest traditions of South Dakota's veterans and the United States Armed  
3 Forces; and

4 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
5 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
6 from even now tendering the consolation that may be found in this heartfelt appreciation and  
7 respect of the people of South Dakota that Richard died protecting; and

8 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
9 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
10 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

11 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
12 State of South Dakota, that Sergeant First Class Richard Schild is posthumously honored,  
13 commended, and remembered for his service and noble sacrifices for the people of South  
14 Dakota. In token of South Dakota's common perpetual grief at his loss, this commemoration is  
15 enrolled and appropriately immortalized for posterity. *Requiescat in pace.*

16 HC 1051 Introduced by: Representative Nelson and Senator Van Gerpen

17 A LEGISLATIVE COMMEMORATION, Posthumously honoring Chief Warrant Officer Two  
18 Paul Pillen.

19 WHEREAS, Paul Pillen volunteered to serve in the South Dakota Army National Guard,  
20 was a member of the Keystone community, and selflessly paid the terrible costs for our  
21 freedoms while serving in Kuwait on October 17, 2005; and

22 WHEREAS, Chief Warrant Officer Two Paul Pillen's service and ultimate sacrifice were  
23 in keeping with the highest traditions of South Dakota's veterans and the United States Armed  
24 Forces; and

25 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
26 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
27 from even now tendering the consolation that may be found in this heartfelt appreciation and  
28 respect of the people of South Dakota that Paul died protecting; and

29 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
30 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
31 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

32 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
33 State of South Dakota, that Chief Warrant Officer Two Paul Pillen is posthumously honored,  
34 commended, and remembered for his service and noble sacrifices for the people of South  
35 Dakota. In token of South Dakota's common perpetual grief at his loss, this commemoration is  
36 enrolled and appropriately immortalized for posterity. *Requiescat in pace.*

1 HC 1052 Introduced by: Representative Nelson and Senator Van Gerpen

2 A LEGISLATIVE COMMEMORATION, Posthumously honoring Specialist Daniel Bartels.

3 WHEREAS, Daniel Bartels volunteered to serve in the United States Army, was a member  
4 of the Huron community, and selflessly paid the terrible costs for our freedoms while serving  
5 in Iraq on October 19, 2005; and

6 WHEREAS, Specialist Daniel Bartels's service and ultimate sacrifice were in keeping with  
7 the highest traditions of South Dakota's veterans and the United States Armed Forces; and

8 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
9 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
10 from even now tendering the consolation that may be found in this heartfelt appreciation and  
11 respect of the people of South Dakota that Daniel died protecting; and

12 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
13 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
14 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

15 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
16 State of South Dakota, that Specialist Daniel Bartels is posthumously honored, commended, and  
17 remembered for his service and noble sacrifices for the people of South Dakota. In token of  
18 South Dakota's common perpetual grief at his loss, this commemoration is enrolled and  
19 appropriately immortalized for posterity. *Requiescat in pace.*

20 HC 1053 Introduced by: Representative Nelson and Senator Van Gerpen

21 A LEGISLATIVE COMMEMORATION, Posthumously honoring Staff Sergeant Jason  
22 Montefering.

23 WHEREAS, Jason Montefering volunteered to serve in the United States Army, was a  
24 member of the Parkston community, and selflessly paid the terrible costs for our freedoms while  
25 serving in Iraq on July 24, 2005; and

26 WHEREAS, Staff Sergeant Jason Montefering's service and ultimate sacrifice were in  
27 keeping with the highest traditions of South Dakota's veterans and the United States Armed  
28 Forces; and

29 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
30 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
31 from even now tendering the consolation that may be found in this heartfelt appreciation and  
32 respect of the people of South Dakota that Jason died protecting; and



1 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
2 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
3 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

4 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
5 State of South Dakota, that Staff Sergeant Jason Montefering is posthumously honored,  
6 commended, and remembered for his service and noble sacrifices for the people of South  
7 Dakota. In token of South Dakota's common perpetual grief at his loss, this commemoration is  
8 enrolled and appropriately immortalized for posterity. *Requiescat in pace.*

9 HC 1054 Introduced by: Representative Nelson and Senator Van Gerpen

10 A LEGISLATIVE COMMEMORATION, Posthumously honoring Private First Class Gunnar  
11 Becker.

12 WHEREAS, Gunnar Becker volunteered to serve in the United States Army, was a member  
13 of the Forestburg community, and selflessly paid the terrible costs for our freedoms while  
14 serving in Iraq on January 13, 2005; and

15 WHEREAS, Private First Class Gunnar Becker's service and ultimate sacrifice were in  
16 keeping with the highest traditions of South Dakota's veterans and the United States Armed  
17 Forces; and

18 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
19 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
20 from even now tendering the consolation that may be found in this heartfelt appreciation and  
21 respect of the people of South Dakota that Gunnar died protecting; and

22 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
23 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
24 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

25 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
26 State of South Dakota, that Private First Class Gunnar Becker is posthumously honored,  
27 commended, and remembered for his service and noble sacrifices for the people of South  
28 Dakota. In token of South Dakota's common perpetual grief at his loss, this commemoration is  
29 enrolled and appropriately immortalized for posterity. *Requiescat in pace.*

1 HC 1055 Introduced by: Representative Nelson and Senator Van Gerpen

2 A LEGISLATIVE COMMEMORATION, Posthumously honoring Lance Corporal Joseph  
3 Welke.

4 WHEREAS, Joseph Welke volunteered to serve in the United States Marine Corps, was a  
5 member of the Rapid City community, and selflessly paid the terrible costs for our freedoms  
6 while serving in Iraq on November 20, 2004; and

7 WHEREAS, Lance Corporal Joseph Welke's service and ultimate sacrifice were in keeping  
8 with the highest traditions of South Dakota's veterans and the United States Armed Forces; and

9 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
10 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
11 from even now tendering the consolation that may be found in this heartfelt appreciation and  
12 respect of the people of South Dakota that Joseph died protecting; and

13 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
14 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
15 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

16 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
17 State of South Dakota, that Lance Corporal Joseph Welke is posthumously honored,  
18 commended, and remembered for his service and noble sacrifices for the people of South  
19 Dakota. In token of South Dakota's common perpetual grief at his loss, this commemoration is  
20 enrolled and appropriately immortalized for posterity. Fair winds and following seas, Marine.  
21 Long may your duty be, guarding the streets of gold. *Semper Fidelis*.

22 HC 1056 Introduced by: Representatives Hawks, Bartling, Bolin, Campbell, Ecklund,  
23 Feinstein, Gibson, Haggar (Jenna), Hawley, Heinert, Hunhoff (Bernie), Johns, Kirschman, May,  
24 Parsley, Peterson, Ring, Schaefer, Schrempp, Sly, Soli, Tulson, Tyler, Wick, and Wismer and  
25 Senators Buhl, Bradford, Frerichs, Johnston, Jones, Lucas, Rampelberg, Soholt, Sutton, and  
26 Welke

27 A LEGISLATIVE COMMEMORATION, Honoring those persons who encourage children to  
28 read and those children who participate in the Read Across America Program that builds  
29 awareness and supports reading programs in our homes and communities.

30 WHEREAS, the South Dakota Legislature stands firmly committed to promoting reading  
31 as the catalyst for our students' future academic success, their preparation for America's jobs of  
32 the future, and their ability to compete in a global economy; and

33 WHEREAS, the South Dakota Legislature has provided significant leadership in the area  
34 of community involvement in the education of our youth, grounded in the principle that  
35 educational investment is key to the state's well-being and long-term quality of life; and

1 WHEREAS, "Read Across America," a national celebration of Dr. Seuss's birthday on  
2 March 2, 2013, sponsored by the National Education Association and the South Dakota  
3 Education Association, promotes reading and adult involvement in the education of all our  
4 children; and

5 WHEREAS, the 2013 South Dakota State Legislature thanks the citizens of this state who  
6 ensure that every child is in a safe place reading together with a caring adult on March 2, 2013:

7 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
8 State of South Dakota, that the Legislature honors, commends, and endorses the Read Across  
9 America Program sponsored by the National Education Association and the South Dakota  
10 Education Association and recommits our state to engage in programs and activities to make  
11 America's children the best readers in the world.

12 Rep. Steele moved that the House do now adjourn, which motion prevailed and at  
13 5:39 p.m. the House adjourned.

14 Arlene Kvislen, Chief Clerk